

Dr. Ambedkar as Member of the Governor-General's Executive Council

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46

The Factories (Second Amendment) Bill

The Honourable Dr. B. R. Ambedkar (Labour Member) : Sir, I move:

" That the Bill further to amend the Factories Act, 1934, as reported by the Select Committee, be taken into consideration ".

Sir, the report of the Select Committee has been before the House for quite a long time. I have no doubt that Honourable Members who take interest in this subject have read and digested what the Select Committee has to say. I will therefore do no more than to draw attention of the House to some of the fundamental changes which the Select Committee has made in the Bill as introduced by me. Sir, the select Committee has altogether made five

important and fundamental changes. The first change that the Select Committee has made is to save the rights to any holidays with pay that might accrue to a workman, otherwise than under the Act, such as holidays that may be permissible under other enactments or holidays that may be permissible under an award or an agreement or a contract of service. That provision did not exist in the original Bill. But it has now been introduced by the addition of sub-clause (2) to section 49-A. The second change which the select committee has made is to extend the benefit of the holidays with pay to children which again was not found in the original Bill as it was introduced to this House. Not only the Select Committee has extended the provisions of the Bill to a child but the holidays themselves have been extended in number. For a workman the holidays are only seven days. But to a child, the holidays shall be 14 days. Honourable members will find that in the new amendment to section 49-B. Then, Sir, the House will remember that when the Bill was introduced it did not contain any provisions to cover cases of workman who was discharged before he had earned his holiday or had resigned his post and therefore did not get his holiday. I said that that was a matter which might be left to be subsequently decided in such a manner as we thought best. The Select Committee thought that it was so important a case that provision ought to be introduced in the Bill and accordingly a new provision has been introduced.

Another new principle which has been introduced in the Bill is the power given to the Inspector to act on behalf of a worker who has not been able to get his holidays or has not been able to get the pay which he is entitled to obtain as a result of the holiday. The Select Committee realised that it was no use leaving the worker to his resources in order to prosecute his employer either criminally or civilly in order to secure the benefit which the Act gives him and which the employer has failed to give him. Therefore it was the duty of the State to take upon itself the responsibility of seeing that these benefits were secured to the workmen. This has now been done by the conferment of the power on the Inspector to act on behalf of a worker.

Another important change which has been made by the select Committee is with regard to the making of the rules. Honourable members will recollect that in the original Bill, the power for making rules under the Act in order to give effect to the provisions was left to the provinces. Now, it was felt in the Select Committee that if the rule-making power was left to the provinces the different provinces might make different set of rules, and consequently there might be variety of provisions under the same Act. That undoubtedly would have very serious consequences on the different industries. One industry in one province may be subjected to one set of rules, a similar industry in another province may be subjected to a different set of rules and it would introduce a very undesirable element in the competitive character of the industry taking India as a whole. The Select Committee therefore recommended that the

Government of India should have the authority to give directions to the provinces in the matter of making rules so that the desire or the object of securing uniformity in these rules would be achieved. These are. Sir, some of the fundamental principles which have been incorporated in the Bill as a result of the deliberations in the Select Committee. The rest of the provisions are more or less as they were in the original Bill and call for no comment. Sir, I move.

Mr. **Deputy President** (Mr. Akhil Chandara Datta) : Motion moved.

" That the Bill further to amend the Factories Act, 1934, as reported by the Select Committee, be taken into consideration."

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The Honourable Dr. B. R. Ambedkar: I do not think it is necessary for me to deal with each and every point that has been raised by Honourable Members who have spoken on this motion, particularly because I find that every point which has been made by honourable Members is covered by an amendment. Consequently there will be a duplication of debate, which I do not propose to undertake. I will say what I have to say on the various points when the appropriate amendments are moved.

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The Honourable Dr. B. R. Ambedkar : Sir, I am afraid it is not possible for me to accept either of the amendments which have been proposed by Mr. Joshi or Prof. Ranga. I quite understand that a workman who has put in the requisite amount of service should be entitled to get his holidays irrespective of the consideration as to whether he has served one employer or more than one employer. But two facts have to be taken into consideration. The first is the question of administrative feasibility. I am quite satisfied that unless we have a sort of an insurance system where the payments to be made by employers are de-personalised and fastened upon some fund, it would not be possible to work the provisions, if I were to accept the amendments proposed by my Honourable friends. If, for instance, a scheme of health insurance were to come into operation, than we would have the basis of a system of cards, stamps and the other administrative machinery for insurance purposes, and then an amendment of the sort which has been moved would be possible to accept. But for the present, I am sorry to say that I cannot see any way to accept this amendment.

I should also like to submit that it was the desire of the House or of the Select Committee that a date should be fixed for the Bill to come into force. As my Honourable friends will recall, we had in the original Bill left the date for the operation of the Bill to the Provincial Governments. But we have departed from that procedure and we have now accepted the principle that this Bill itself should lay down the date on which it shall come into force ; and the date

as fixed in the Bill is the first day of January 1946. It is therefore quite clear that all administrative machinery that is necessary for the giving effect to this Bill must be brought into being within or before the 1st January, 1946 ; and I must confess my utter inability to comprehend the possibility either of the Government of India or of the Provincial Governments being in a position to set into operation the machinery that would be necessary to give effect to the provisions contained in the two amendments. As I said, I have sympathy but the administrative difficulties are so great that I must at this stage oppose the amendment.

Prof. N. G. Ranga : May I make one suggestion, if it is agreeable to the Government-not otherwise ? In the first line, suppose we drop the words " or different managements " in the amendment proposed and merely say " or factories belonging to the same management " ?

The Honourable Dr. B. R. Ambedkar : I find difficulty in all that : I have paid attention to that.

The Honourable Dr. B. R. Ambedkar (Labour Member) : Mr. President, I am not sure that those who have moved this amendment and supported it have much justification on their side. We always take as our standard measure the Conventions passed at the International Labour Conferences and the Honourable House will remember that the International Labour Conference in 1936, when it took up this question, fixed six days as the measure of holidays that ought to be allowed. Looking at the subject from that point of view, I am not prepared to accept nor can anybody say that the Bill as introduced falls short of the standard prescribed by the International Labour Conference. On my side I must also mention another difficulty. The Honourable House will remember that this subject of labour legislation falls in the field of Concurrent Legislation. The administrative responsibility for carrying out these measures entirely falls on the Provincial Governments, in which the executive authority for administration is vested by the Constitution. Having regard to that, there has been established a convention, viz., that as far as this Concurrent field of legislation goes, whatever measures are introduced, should have more or less the concurrence of the Provincial Governments. And I would like to tell the House that the period that is fixed in the Bill was fixed after consultation with the provinces. However, I am prepared to accept the amendment and I would very much like to state the reason which has prevailed upon me in order to accept this amendment. The reason which has prevailed upon me is the geographical reason. I realise that the centres of industry and the centres of population are very vastly divided by long distances. A factory is situated in Bombay, the labourer lives either in the U. P. or C. P. and has to travel long distances in order to employ himself in a useful occupation. Having regard to this circumstances, viz., that he has

to travel long distances, I think that perhaps a small departure may be made from the original proposal that stands in the Bill. It is therefore on that ground that I am prepared to accept this amendment. At the same time, I must stipulate one other condition. I find that there is another amendment standing in the name of Prof. Ranga and Mrs. Subbarayan, the object of which is to reintroduce the words " at least ", which were omitted by the Select Committee. Now, the introduction of these words " at least " would create disharmony and I must say that I regard uniformity of principle in a matter of this kind to be of fundamental importance and my position therefore is that if those who have tabled this amendment will agree to drop it. I on my part, am prepared to accept the amendment for ten days.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammedan Rural) : We are prepared to drop the other amendment, for the present.

Mr. President (The Honourable Sir Abdur Rahim) : You are not going to press the motion ?

Prof. N. G. Ranga : Not the other amendment. Sir. Mr. President (The Honourable Sir Abdur Rahim): The question is:

" That in clause 3 of the Bill, in sub-sections (1) and (2) of the proposed section 49B for the word ' seven ' the word ' ten ' be inserted ".

The motion was adopted.

The Honourable Dr. B. R. Ambedkar : There has to be one consequential amendment that in sub-clause (2) the word ' ten ' shall be substituted for ' seven '.

Mr. President (The Honourable Sir Abdur Rahim) : I think the Honourable Member would do well to put down a proper amendment. That, I think, can be done afterwards.

The Honourable Dr. B. R. Ambedkar : At the end of sub-section (2) in the last line, the word ' ten ' shall be substituted for ' seven '.

Mr. President (The Honourable Sir Abdur Rahim) : I think there ought to be a formal amendment.

* * *

The Honourable Dr. B. R. Ambedkar: Sir, I regret I cannot accept this amendment. My Honourable friend, Mr. Inskip, stated that there was no definition of sickness. I wish we could define sickness ; I have searched for a definition in the Health Insurance Act, and I find that there is no definition of sickness for the simple reason that sickness cannot be defined. It is a matter of certification. If a medical person says that a certain person is sick, then everybody has got to accept that definition. If my Honourable friend's contention was that certificate should be defined in a proper manner, I could have understood his complaint. But on that ground I submit he has no ground for complaint, because we propose to make rules in which persons who will have the authority to certify will be properly laid down : their qualifications will be prescribed. Consequently the fear that doctors who have no practice and

who generally live on giving false certificates will find no place in this, because the rules, I hope, will be so framed that that sort of contingency will be altogether eliminated. The difficulty I find in accepting this amendment is this: my Honourable friend says that certificates should not suffice for sickness but that the employer should be allowed to sit in judgement, even when a certificate has been obtained, whether, notwithstanding the certificate, he would grant leave or he would not grant leave. I must say that that is a position to which Government cannot be a party. Government cannot allow an employer to say that notwithstanding the certificate given by a doctor whose qualifications are in accordance with the rules we have made, it must still be left a matter for the employer to decide. I think that would be placing too much authority in the hands of the employers ; and for this reason I am not disposed to accept this amendment.

Another thing my Honourable friend remarked is this, that we have fixed a limit of ninety days for all the three contingencies-sickness, accident and authorised leave. Consequently in practice any malingering on the part of the employee cannot be carried on indefinitely; because for the three contingencies we have fixed a limit of ninety days ; and if the limit of ninety days is exceeded, then he automatically becomes disqualified for getting the benefit under the Act. Having regard to these circumstances, I must oppose this amendment.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

" That in clause 3 of the Bill, in the Explanation at the end of the proposed section 49B for the words ' sickness, accident or authorised leave ' the words ' authorised leave granted on account of sickness, accident or for compassionate reasons ' be substituted."

The motion was negatived.

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Mines Maternity Benefit (Amendment) Bill

The Honourable Dr. B. R. Ambedkar (Labour Member) : Sir, I Move :

" That the Bill further to amend the Mines Maternity Benefit Act, 1941, as reported by the Select Committee, be taken into consideration."

Sir, the Bill, I must admit, has been considerably modified by the Select Committee. In view of that it is only proper that I should call the attention of the house to some of the important changes in the Bill which have been made by the Select Committee.

(At this stage, Mr. President (The honourable Sir Abdur Rahim) resumed the Chair.

The first change which the Select Committee has made is with regard to the period of prohibition of pregnant women on women working under-ground. The original Bill had provided that the prohibition should operate for ten weeks before confinement and for four weeks after confinement. The Select Committee has made no change in the period originally proposed, for

prohibition before confinement. But with regard to the period of prohibition after confinement, the changes they have made are somewhat extensive. In the first place, the period of prohibition is extended from four weeks to thirty-six weeks. This period of thirty-six weeks is broken up into two parts : There is a period of complete prohibition which is followed by a period of partial prohibition. The period of complete prohibition, is extended by the Select Committee from four weeks to twenty-six weeks. The period of partial prohibition covers ten weeks. The period of partial prohibition is again made subject to two different prescriptions dependent upon the existence or non-existence of a creche. During the period of partial prohibition, a woman is not to work underground for more than four hours if there is no creche, and, secondly, she is not to work underground for more than four hours at any time even if there is a creche. These are the changes made by the Select Committee with regard to the period of prohibition on work underground.

Coming to the question of maternity benefits to be paid to a woman working underground, the Select Committee has made the following changes; Originally the Bill had laid down two conditions which a woman working underground was required to satisfy before she became entitled to maternity benefit. Those conditions were, firstly, a minimum period of work extending to six months in a mine before confinement, and the second condition was minimum of 90 days work underground during such period of six months. The Select Committee has removed the first condition, namely the requisite period of six months of service in a mine, so that under the amended Bill all that a woman need do is to satisfy the condition of having worked for ninety days underground within the period of six months prior to delivery and she becomes entitled to maternity benefit.

The Select Committee has also made certain amendments with regard to the period of benefit. In the original Bill, the period of benefit was ten weeks before confinement and four weeks after confinement. The select Committee has changed the period of benefit after confinement from four weeks to six weeks. Similarly changes have been made in the amount of benefit. Originally the amount of benefit was eight annas per day. The select Committee has changed it to six rupees a week, which is a little less than fourteen annas a day. Then the whole of the period of benefit is now declared to be a period of authorised leave, so that during this period an employer is not entitled to dismiss a woman who comes under the present Bill.

Another important provision made by the Select Committee is to require that the medical examination of a woman entitled to benefit shall be by a woman doctor if the woman demands it, a provision which did not exist in the original Bill. I might also draw the attention of the House to the fact that during this period of thirty-six weeks of prohibition on work underground, a woman is free to work otherwise than on work underground during a period of thirty-two weeks and supplement her earnings, which was not provided in the original

Bill. The only period during which she will not be free to work is four weeks after delivery. So that under the Amendment Bill, a woman is not only entitled to get the maternity benefit of a woman working on the surface from eight to twelve annas. That is to say, she has also got an increase of fifty per cent over the previous benefit, admissible to her under the original Act.

These are some of the important changes which the Select Committee has made. As I have said the Bill has been very considerably altered by the Select Committee. All the same. Government do not propose to raise any difficulty with regard to the amendments and having regard to the peculiar circumstances of the case they are quite prepared to accept the Bill as amended by the Select Committee. Sir, I move: Mr. President (The Honourable Sir Abdur Rahim) : Motion moved :

" That the Bill further to amend the Mines Maternity Benefit Act, 1941, as reported by the Select Committee, be taken into consideration."

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Health Insurance for Industrial Workers

Standing Labour Committee Discuss Adarkar Report

Prof. Adarkar's Report on Health Insurance for Industrial Workers in India was discussed at the sixth meeting of the Standing Labour Committee which concluded in New Delhi on March 17. The Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, presided. Mr. Stack and Mr. Rao of the I.L.O. also attended the meeting as visitors, and some comments made by them on the scheme were circulated.

The delegates, including those representing employers and workers, warmly appreciated Prof. Adarkar's Report and expressed their respective views on questions relating to medical and cash benefits, the qualifying or waiting periods, the type of treatment, medical organisation and State contribution. A number of delegates emphasised the importance of going ahead with the scheme as early as possible, and there was general agreement that in order to secure the benefits resulting from broadening the basis of the scheme it was advisable to extend its scope to all organised industries and perennial factories.

Maternity Benefits

It was also agreed that the Centre should go ahead with the preparation of a scheme, and, if they found it possible to do so, they should include in this scheme maternity benefits and workmen's compensation. After the scheme was prepared, the Centre should consult provinces and the Employers' and Workers' Organisations and, after consideration of their replies, should introduce a Bill in the Legislative Assembly.

Another item on the agenda for the meeting was a proposal to change the constitution and functions of the Tripartite Labour Conference and the Standing Labour Committee with a view to classify these functions in two lists,

one dealing with general subjects such as terms and conditions of employment, labour legislation, social security, etc., and the other with concrete questions relating to labour welfare and administration of labour laws.

In the *memorandum* placed before the Committee it was suggested that a Labour Welfare Committee should be set up to deal with functions in the second list, 'the intention being to secure through this Committee a body which would deal with the actual problems arising in the various industries, and to bring into such committee representatives of various important industries. The Labour Conference and its Standing Labour Committee should confine themselves to terms and conditions of employment, labour legislation, social security, etc., looked at on broad lines and from an all-India stand point. It was agreed that a sub-committee should be appointed to examine these proposals.

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**War Work of National Service
Labour Tribunals
*Dr. B. R. Ambedkar's Tribute***

" At a time when the war was going none too well, when India herself was threatened with invasion, we were confronted with a serious bottleneck in the supply of technical personnel urgently required for the fighting Services and our war industries. The National Service Labour Tribunals were set up under the stress of urgency. Technical man-power had to be mobilised with the utmost speed and because of our lack of experience our plans had necessarily to be somewhat hazy.. The task was fraught with difficulties but its accomplishment is a great tribute to your efforts."

Thus observed the Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, in his address to the Chairmen of National Service Labour Tribunals, who assembled in Simla on April 19 to discuss questions relating to technical training scheme, the National Service (Technical Personnel) Ordinance, and Employment Exchanges.

Continuing, the Labour Member said : The Tribunals have directed nearly 15,000 technicians into national service. They have also exercised effective control over the movement of technical personnel. It was necessary to ask workmen to take up employment away from their homes or to prevent them from bettering their prospects by seeking employment elsewhere. In the United Kingdom such action is comparatively easy because conditions of employment are more or less standardised and the Ministry of Labour and National Service have a vast welfare organisation to watch the interests of a conscripted worker especially when he is required to go away from his home. The Tribunals in India were, however, placed in different circumstances, and on the whole it may be said that they have exercised their powers with commendable tact and restraint to the great advantage of the war effort but

without undue disregard to the interests of the workers.

There have been employers who have complained that the Tribunals have been unduly soft to the workers. On the other hand, there have been complaints that the Tribunals have been unduly harsh towards the workers. I have never tried to discourage these complaints either from employers or workers because I have always believed that the careful consideration of complaints will enable Government to prescribe the right course of action. You will find therefore that on the one hand we are suggesting the tightening of control over the drift of labour regarding which there are still serious complaints in Calcutta. On the other hand, we are also requiring Tribunals to give closer attention to the conditions of employment of workers who are directed into national service or prevented from bettering their employment.

Control With Justice

I do not propose to enter into any of the details of the suggestions which will come for consideration in the subsequent meeting but I should like to impress upon you the fact that the war has imposed a very heavy strain upon the workers and that if we have, on account of the war, to impose a further sacrifice upon them, we should ensure that this is not done arbitrarily. Whatever the pressure from employers, the war emergency should not be the occasion for deteriorating labour conditions or lowering the dignity of labour.

In the United Kingdom vast powers are vested in the minister of Labour and National Service but they are powers which can be exercised to an equal extent in both directions i.e., against the employer as much as against the worker. These powers have been used to bring employers and workers together so that there may be greater collaboration between them. It is this spirit of co-operation which I should like to see inculcated in India and I am sure that it can be done if we exercise control with firmness but with full justice.

There is one other aspect of the work of the National Service Labour Tribunals that deserves notice. The recruitment for our training schemes in India and the United Kingdom has been entrusted to them and I should like to express my sincere appreciation of the care with which this task has been undertaken. But for this our training schemes could not have been a success.

In the case of the Bevin Training Scheme I know that the Ministry of Labour and National Service were particularly impressed by the excellent selection of the trainees who were sent to the United Kingdom. No doubt there were some black sheep among the Bevin trainees but considering the numbers that have been sent, we may congratulate ourselves that they were so very few in regard to whom it cannot be said that the time and money spent on their training was wasted. On the other hand, most of the returned Bevin trainees will undoubtedly be of great help in raising the standard of our skilled workers. They have also brought back with them the unique experience of a nation fully mobilised for total war. What can a country not achieve when it is thus

organised and why should these achievements be confined to war alone ? Can we not extend them to the peace that we hope will follow shortly.

Resettlement Machinery

This brings me to the post-war issues which will confront us in no less bewildering a manner than the issues of war. The first and most important problem will be the resettlement of demobilised personnel and here I am thinking not only of the fighting Services but also of the large body of industrial workers engaged in war factories. No Government can leave the demobilised ex-service personnel and workers in war industries to their own fate during the transition from war to peace. Resettlement is a civil responsibility and Government have decided that it will fall on the Labour Department. Our resettlement proposals will be discussed with you. In the machinery that we hope to set up, the Chairman of the National Service Labour Tribunals will be called upon to play a very important part.

The problem of resettlement is one which has to be tackled by the Centre and the Provinces in the closest co-operation. In the Provinces the Chairman will be the head of the regional organisation. It will be his duty to maintain the closest contact with public organisation at the Centre and with the Departments of the Provincial Governments. Your duties will call for the highest degree of tact, energy and enterprise. I hope that in the discharge of these duties your contribution will be no less than in wartime.

Efficient Employment Service

I need not enter into the details of our resettlement organisation but I should like to emphasise that in addition to a very necessary service for ex-service demobilised personnel, the main purpose of the organisation that we propose to set up is to lay the foundation of an efficient employment service in this country. The important feature of such a service is a co-ordinated system of Employment Exchanges. We have already set up a few of these Exchanges some of which have shown good results but it is clear that we must organise this machinery on a sounder basis. We require above all trained staff to run the Exchanges and suitable buildings to which workers and employers can come. In both respects our existing Exchanges have started with a very considerable handicap. So far as staff is concerned, we are proposing to inaugurate very shortly a training scheme for Managers and Assistant Managers. We hope that this training will enable newer Exchanges to be built up on the right lines.

The resettlement organisation will also have to concern itself with the training and re-conditioning of demobilised personnel and their welfare (follow-up) and will have to watch their interests in the new employment. Provision has also been made for publicity and canvassing. The details of the organisation will come before you for consideration and we shall also await suggestions from Provincial Governments.

Task Of Great Magnitude

What is very important is that you, Gentlemen, should on your return to the Provinces discuss these proposals with the representatives of Provincial Governments and interest them in our scheme. We would like to avoid any misunderstanding as to its scope. If there are difficulties which you cannot resolve, we hope you will bring them to our notice and give us your own suggestions as to how they can be overcome. We have undertaken a task of great complexity and magnitude. We must therefore work together bearing in mind the higher interests that we have to serve.

I have taken much of your time and now, Gentlemen, before leaving you to your labours, I should like to wish you good speed and good luck.

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APPOINTMENT OF REGIONAL LABOUR COMMISSIONERS

Three Regional Labour Commissioners—Mr. D. G. Jadhav, Dr. Seth and Mr. Abu Talib—have been appointed by the Central Government at Bombay, Calcutta and Lahore respectively for administering their new machinery which has been set up to deal with industrial relations in industries and undertakings in the "central sphere." The organisation is under Mr. S. C. Joshi, the Central Government's Chief Labour Commissioner at the headquarters.

The new set-up also includes a Deputy Labour Commissioner at New Delhi, 9 Conciliation Officers and 24 Labour Inspectors (Central) located at various centres throughout India, and one Central Inspector of industrial canteens.

Industries falling in the "central sphere" are (1) all industrial establishments owned or controlled by the Government of India ; (2) Federal railways; (3) mines and oilfields and (4) major ports.

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Multi-purpose Development of Damodar Valley Labour Member's speech at Calcutta Conference

" The project (harnessing the waters of the Damodar River) is a welcome one to the Government of India. It very clearly shows a fine prospect of the control of the River, a prospect of controlling floods, of securing a fine area for perennial irrigation with resultant insurance against famine and a much needed supply of power. I am sure it will be more than welcome to the Governments of Bengal and Bihar if they realise what the project will mean to them and their people."

Thus observed the Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, in his address to representatives of Bengal and Bihar Governments at a Conference held in Calcutta on August 23 to discuss the Preliminary Memorandum on the Damodar Valley Multipurpose Project. The session lasted two days, and the Labour Member presided.

Here is the full text of Dr. Ambedkar's speech : " We are now meeting for the second time to discuss the project for harnessing the waters of the

Damodar River. As you will recall, our first meeting in this connection took place on January 3, 1945. We then considered the Report of the Damodar River Flood Enquiry Committee appointed by the Government of Bengal in 1944.

" The issue before us was whether we should be content with damming the river for the purpose of stopping the flood only or whether we should make it a multi-purpose project so as to cover generation of electricity and the supply of water for irrigation and navigation also. The consensus of opinion at that Conference was that we should go in for the latter. Accordingly, the Conference decided to take the next step, namely to create machinery for collecting the necessary data to draw up a multi-purpose scheme. On the part of the Government of India, I offered the fullest assistance of technical experts in carrying out this preliminary work.

" The experts have now drawn up, with the co-operation of the engineers from Bengal, a Preliminary Memorandum on the Unified Development of the Damodar River Valley. Copies of this Memorandum have already been in the hands of the Government of Bengal and Bihar.

" With regard to this Memorandum, I feel it my duty to say, and I am sure in this I am voicing your sentiments, that we are grateful to Mr. Voorduin for the preparation of this draft Memorandum and also to the ready co-operation which was offered to him by the engineering staff of the Bengal Government. Mr. Matthews, the Chairman of the Central Power Technical Board, has also given us the benefit of his advice, and at a later stage, I have no doubt, that we shall receive all the assistance from Mr. Khosla, the Chairman of the Waterways and Navigation Board.

"For the present we have before us now a very clear, a very comprehensive and a very essential survey of the full possibilities of the Damodar River Valley, accompanied by adequate data to enable us to take the next step with confidence.

" The reason why we have met today is to consider this Preliminary Memorandum and the points that arise out of it. These points are set in the agenda which is prepared for this meeting. The agenda contains a full list of matters arising out of the Preliminary Memorandum and which require immediate attention. As it has already been circulated to the Governments of Bengal and Bihar, it is unnecessary for me to go over it again. I shall, therefore, content myself with making two general observations (1) with regard to matters of policy, and (2) with regard to questions of method and procedure.

" Flood control is a matter of policy. I hope that there will be general agreement as to the desirability of providing that measure of flood protection as will ensure full safety to the vulnerable area of the Damodar Basin against even the most adverse combination of foreseeable natural circumstances. I am glad to say that the scheme drawn up in the Preliminary Memorandum

does provide for that full measure of safety.

" The second matter of policy is the collective responsibility of the three Governments assembled here to put their shoulders to the task. I believe that there will be general agreement that the findings in the Preliminary Memorandum justify the three Governments in proceeding energetically with the development of the Damodar River Valley on the general lines indicated in the Memorandum.

" The project is a welcome one to the Government of India. It very clearly shows a fine prospect of the control of the river, a prospect of controlling floods, of securing a fine area for perennial irrigation with resultant insurance against famine and a much needed supply of power. I am sure it will be more than welcome to the Governments of Bengal and Bihar, if they realise what the project will mean to them and their people.

" In concrete terms, the project will give them (1) an aggregate controlled reservoir capacity of about 4,700,000 acre-feet, (2) sufficient water for perennial irrigation of about 760,000 acres besides water for navigation purposes, (3) electrical energy amounting to 300,000 kilowatts, and (4) it would serve to promote directly the welfare of 5 million people and indirectly of many more millions.

" Coming now to the question of methods and procedure, we have to decide upon the following points which I am placing before you in order of priority :—

- (1) Selections of dam sites to be taken up first ;
- (2) Further detailed investigations as to the selected dam sites before construction can begin;
- (3) The agency for such further preliminary investigations ;
- (4) The agency for designing and construction of dams ;
- (5) The creation of high grade administrative machinery to coordinate and push forward the vast amount of work, both technical and administrative, that will have to be done during the stages of investigations and construction that are to follow : and
- (6) A series of surveys relating to the best utilisation of water and power that will be eventually available in the developed areas.

" I would like to emphasize the need for a quick decision on the points relating to method and procedure. The project is no doubt primarily for the establishment of safety and the development of a multi-purpose river basin project. But it cannot be forgotten that the project is a post-war employment project. As the war is now over on all fronts, we are faced with the problems of peace one of which is to prevent unemployment which, with the sudden cancellation and the reduction of war employment and expenditure, is going to be one of the gravest problems in our domestic economy.

Central Government's Part

" From this point of view, the Damodar Valley Project is a matter of grave urgency, and it would be a criminal folly not to come to an early decision, without which it is not possible for us to proceed further in the matter. I, therefore, hope and trust that, with your cooperation, we should be able today to return with our decisions fully and firmly made.

" Before closing, let me tell you that the Government of India is very keen, very earnest and is prepared to play its full part in carrying through its project.

(1) The Government of India in conformity with their earlier declarations recognise their responsibility for doing all that they can to speed up the project on approved lines, and to this end will endeavour to the best of their ability. Though the form of the authority to carry out the project and the manner of setting it up is yet to be defined, the original view of the Government that such an authority should be set up remains unaltered.

(2) The Government of India is prepared to assume direct responsibility for securing the staff and organisation necessary to carry out all further preliminary investigation in such manner as will facilitate and expedite construction with such assistance as the two Provinces can render without any serious detriment to their post-war development works. The Government of India, however, realise the shortage of engineering manpower in Bengal and will endeavour to find the necessary staff by drawing upon the services, if found available, of a military unit and its equipment to assist in preliminary investigation. This will avoid drawing on the strained engineering resources of the Province at a larger extent than is necessary and will secure a most rapid supply of equipment.

(3) The Centre is prepared to advance, initially, the funds necessary for the further preliminary investigations undertaken by them which are necessary for the main project of the understanding that such preliminary expenses will be charged to the project if it materialises and divided half and half between the Centre and the Province if it does not materialise.

" There is only one thing which the Government of India expects the Provinces to do. It expects the Provinces to bear in mind the absolute necessity of ensuring that the benefits of the project get ultimately right down to the grass roots, i.e. everyone living in the Valley and some of those in the vicinity, all have their share in the prosperity which the project should bring. This, in my view, is essential, and it is for this reason that we want the establishment of some agency early enough so that that agency can set about planning at once in the manner in which its essential and ultimate object can be secured."

CONFERENCE DISCUSSIONS

The Conference decided to proceed rapidly with further investigation and progress in regard to the Unified and Multi-purpose Damodar Valley Development Project.

It was agreed that the scheme should provide the maximum measure of

flood protection that might be necessary against the most favourable combination of natural circumstances.

Further investigation of possible dam sites on the Damodar River would be necessary before starting actual construction, and among the sites which required such investigation were Maithon, Aiyar and Sonalapur. The Conference discussed the technical aspects of the question and decided that the order of priority of investigation should be, Maithon first, Aiyar second and Sonalapur third; and that the Central Technical Power Board should prepare project reports for each of those dam sites—in the case of Sonalapur dealing in particular with possible effects on coal production.

Necessary Staff

The Central Government would try to secure staff, at the earliest possible opportunity, for the further detailed investigations required for such project reports. Meanwhile, however, investigations should be carried on by such staff as was immediately available.

The Conference agreed that the entire staff engaged on further investigation of dam sites should work under the technical direction of the Central Technical Power Board so that unified control of the preliminary operations could be ensured.

It was further decided to invite four engineers from the U.S.A. to advise on the design and construction of the first two dams to be built under the proposed unified scheme. The engineers would constitute a Technical Mission and should arrive, if possible, in India early next year. It was hoped that by that time the required data would be collected and available.

While the ultimate intention is to constitute a Damodar Valley Authority for the administration and carrying out of the Scheme, the Conference decided that, as an interim measure, the Central Government should appoint a high-ranking Administrative Officer to coordinate all preliminary action and rapidly to push through investigations connected with the proposed Project.

It was agreed that investigation should be undertaken simultaneously for the various other problems connected with the scheme. The Irrigation Departments of the Bengal and Bihar Governments, in consultation with the Central Irrigation, Waterways and Navigation Commission, should investigate the best methods of utilising the water made available for irrigation.

Other subjects to be investigated include the development of power demand, including the setting up of nursery stations, anti-erosion works, navigational, geological and the water supply aspects of the scheme and the lay-out of transmission lines.

The following representatives of the Central Government and the Government of Bengal and Bihar attended the Conference :—

Government of India—Mr. H. C. Prior, Secretary, Labour Department ; Mr. D. L. Mazumdar, Deputy Secretary, Labour Department ; Mr. M. Ikramullah,

Joint Secretary, Supply Department; Mr. H. M. Malhews, Chairman, Central Technical Power Board; Mr. W. L. Voordin, Hydro-Electric Member, Central Technical Power Board; Mr. C. Coates, Deputy Secretary, Supply Department; Mr. J. R. Harrison, Deputy Coal Commissioner.

Government of Bengal.—Mr. O. M. Martin, Adviser to H. E. the Governor, Communication and Works Department ; Mr. R. L. Walker, Adviser to H. E. the Governor, Finance, Commerce, Labour and Industries Department; Mr. B. B. Sarkar, Secretary, Communication and Works Department; Rai Bahadur S. K. Gupta, Chief Engineer, Irrigation Department, West Bengal ; Mr. Man Singh, Superintending Engineer on Special Duty, Damodar Scheme ; Major M .Jafar, Director of Public Health and Mr. Aziz Ahmed, Joint Secretary, Post-War Reconstruction Department.

Government of Bihar.—Mr. S. M. Dhar, Development Commissioner and Mr. W. G. Caine, Chief Engineer, Irrigation and Power.

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Housing of India's Industrial Workers

The need to accelerate the provision of housing for India's industrial workers, was emphasised at the seventh meeting of the Standing Labour Committee which was held recently in New Delhi. The Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, presided.

The Committee resolved that a sub-committee should be appointed to consider the following matters relating to housing for workers:—

(a) Whether there should be a Building Fund for the housing of workers, and the manner in which it can best be raised, and in particular the manner in which the cases of those employers who have already provided housing can be dealt with;

(b) the basis on which the workers can be required to pay rent ;

(c) the minimum standards required for workers houses ;

(d) the most suitable manner of administering any fund which becomes available (whether from Government, employer or worker) for the housing of workers ; and

(e) the facilities that are required to be granted by the Central and Provincial Governments and local authorities to facilitate housing schemes for workers.

The sub-committee should be composed of two representatives of the Central Government, two representatives of provinces, two representatives of Indian States and three representatives each of employers and employees including representatives of Municipalities and Municipal workers.

Holidays With Pay

The Standing labour Committee also discussed draft rules relating to * Indian Information , December 15, 1945, p. 464. holidays with pay tentatively framed by the Central Government, under the Factories (Amendment) Act,

1945.

There was a general agreement on the desirability of amending the Workmen's Compensation Act so as to include in the definition of workmen, to whom the act is applicable those drawing Rs. 400 a month.

The meeting was attended by representatives of the Central and Provincial Governments, Indian States and Chamber of Princes, Organisation of Industrial Employers, Employers' Federation of India, All-India Trade Union Congress, Indian Federation of Labour and other employers and workers.

State's Obligations to Labour

Presiding over the Seventh Labour Conference, which will in future be called the Indian Labour Conference, held in New Delhi on November 26, the Hon'ble Dr. B. R. Ambedkar, Member for Labour, struck a balance-sheet of the State's obligations to labour and urged legislation for raising Indian labour standards to the international level.

Taking stock of Government action on the recommendations of the Royal Commission on Labour and the ratification of I.L.O. conventions Dr. Ambedkar said there were actually only ten recommendations which were still outstanding, whereas India has yet to ratify 19 out of the 63 Conventions. " But ", the Labour Member pointed out, " this is due not so much to the unwillingness of the Government " but to " the rule which requires that a Convention must be adopted without change or modification. It should be possible ", remarked the Labour Member, " for the I.L.O. to draft a Convention so as to provide for stages."

Welcoming the gathering. Dr. Ambedkar Said : " I am sure we are all happy to see that peace has come. It has cost us six years of hard struggle involving incalculable destruction of life and property, not to mention the hardship and the misery which all had to undergo in order to win victory. It is a matter of great relief to us that we have no longer before us the problem of war and of war effort which required us not only to make things ready, but to make them ready at the shortest notice. Thank God that all our worries are over. But you all know that, though the problems of war are no longer there to trouble us, there are .before us problems of peace, such as the r5econstruction of the social and economic life of the people. These problems affect India no less than they do other countries of the world.

State's Liabilities

" Among these social and economic problems, this Conference will be concerned with the most important of them, namely, the problems effecting the welfare of labour and the relations of Capital to Labour. In order that the Conference may know what work lies before it, I think it would be desirable if I use this occasion to enter upon what might be called ' stock-taking ', so that all of us may have a correct estimate of what has been done and what

remains to be done in the field which is ours.

" For the purposes of this stock-taking, I would like to begin with our liabilities first. Our liabilities are derived from two different quarters. Firstly, they are derived from the recommendations of the Royal Commission on Labour which reported in the year 1930. The second source of our liabilities is the Conventions of the International Labour Organisation of which India has been made a member from the very beginning.

" The Royal Commission on Labour made 357 recommendations— a formidable total which serves to show how far behind India was in 1929 as compared with other countries in matters of labour legislation. Of these 357 recommendations 133 (in whole or in part) involved legislation. Of these 133, no less than 126 were accepted by the Government. Only seven were rejected out of 126 which were accepted, 106 have generally been given effect to. Only 20 are still outstanding. Of these 20, 10 relate to legislation for workshops for which discretionary powers already exist with the Provincial Governments under section 5 of the Factories Act. Really speaking, there are only 10 recommendations which are outstanding. Our liability on this account is therefore very small.

I.L.O. Conventions

" Turning to the second source of our liabilities, it will be noticed that the I.L.O. has between the years 1919 and 1943 passed altogether 63 Conventions on various matters effecting labour. Of these, India has ratified only 14. India has yet to ratify 49 Conventions.

" You will notice how the balance-sheet stands. Our Royal Commission account is better than our I.L.O. account. That is of course likely as the Royal Commission recommendations have specific relations to the conditions of India while the I.L.O. Conventions are general in character.

" The fact, however, remains that there is very little outstanding liability on account of the Commission and the magnitude of our liability on account of the Convention is great. Among the Conventions not ratified, there are some which are very important and it behoves us to examine these most carefully and raise our labour standards, in so far as national conditions allow, to standards laid down internationally

" This brief survey will, I hope, enable you to see what is outstanding in the matter of legislation. I need hardly say that this debt we shall have to discharge. I am sure you will agree with me when I say that we do not wish to escape it. Permit me to say that we cannot escape it. World public opinion will not allow us to escape it.

" If I have made a point of our honouring our liability it is because one hears in this country many misgivings being expressed about the necessity and urgency of labour legislation. There is always somebody to ask us to copy the

British example. It is said that the British people have waited for a century, before they had their present Labour Code. There are others who urge that it would be unfair to put the cost of labour legislation on Indian Industries, which are at present in an infant stage, and point to the example of Russia where the working class was forced to accept very low standards in order to enable industries to grow. One also hears it said that the administrative machinery necessary for enforcing labour legislation is not in existence in India and that, therefore, it is useless to enact laws which must remain a dead letter. There is also the plea, commonly raised, that India is a poor country and that it cannot afford the luxury of high standards of labour.

Labour Legislation

" I am not sure that these arguments will satisfy world opinion. Far from accepting them as good and valid reasons for holding back labour legislation of which we are in arrears, labour is sure to regard them as so many excuses.

" Labour may well say that the fact that the British took 100 years to have a proper code of labour legislation is no argument that we should also in India take 100 years. History is not to be studied merely with a view to know how well to imitate the mistakes of other countries.

We study history with a view to know the errors people have made and how they could be avoided. History is not always an example. More often it is a warning.

" Labour is bound to say that the example of Russia is entirely out of place in a discussion about labour standards in a country in which industry is run as a private enterprise working in pursuit of private and personal gain. In Russia, industry is a State enterprise and the profits of industry go to fill the Treasury of the State and not to swell the private fortunes of individuals. Where the profits of industry belong to the State, the subjects of the State may well be asked to undergo, during an interim period, reduction in wages and other standards of life in order that the State industries may be stabilised. No worker would mind such a sacrifice knowing that, in the end, the industry would belong to the State and that he would be able to share in the prosperity of the State. How can the workers be asked to agree to reduce standards of life in an economy in which the profits which are to result from such reduced standards are to go to private individuals. I am sure you will agree that an argument on these lines has great force.

Funds For Labour Welfare

" The plea that we have no administrative machinery to give proper effect to labour laws cannot be admitted to be a strong plea. It is liable to be attacked by labour from many points and you will find it vulnerable at every point. The State maintains a large body of police force to maintain law and orders; the State maintains a body of Revenue Officers to collect taxes. Labour may well

say, why should not the State maintain a force to see that labour laws are given effect to ? Is the duty of the State to be confined merely to collecting taxes and punishing persons who disobey its laws ? Does not the duty of the State extend to the maintenance of terms and conditions of employment, which are in consonance with civilised life ? If that is the duty of the State, is it not obligatory on the State to create and sustain such machinery ? The lack of machinery is too weak a plank to stand on.

" The argument about the capacity to bear the burden of the cost involved in labour legislation is an argument of very serious import, and labour will have to take note of it. At the same time, the question is about the faith behind the argument. Is it a *bonafide* argument ? or it is merely a cloak for avoiding liability ? Labour may well say that this argument about cost loses much of its force when one thinks of the money spent on war. All of us know what a colossal amount of money has been raised for the war and how the monied classes have borne the crushing weight of high and heavy taxations for carrying on

the war. " Labour may well ask statesmen to say how many houseless persons

could have been decently housed, how many naked persons could have been properly clothed, how many hungry men and women could have been given full nourishment, how many uneducated persons could have been educated, how many sick persons could have been restored to health, if the money spent on war had been spent on public welfare ? Labour may ask monied classes a very pertinent question saying, if you do not mind paying taxes to meet expenditure on war, why do you object to raising funds when their purpose is to raise labour standards ? I am sure these are not very easy questions to answer.

" I have given you an estimate of the labour legislation which is outstanding. I have shown why we cannot escape it. That being so, I do not think it necessary to make any apology for the large Agenda that has been placed before you. The Agenda includes eight items. Some of them are very important, particularly item II, which deals with reduction of working hours, item III which deals with minimum wage legislation and item VIII which deals with the Recognition of Trade Unions.

Anti-Slump Measures

"You can well imagine why I have singled out these items for particular emphasis. The peace we are glad to have will be bringing on its plethora of problems. The most serious of these will be the dreadful problem of unemployment. We must do our best and do it immediately to mitigate it and to prevent it from lowering labour standards. I believe three things are necessary to ease the situation. Firstly, to reduce hours of employment so as to provide employment for many. Secondly, to provide machinery for fixing

minimum wages. The absence of such machinery combined with unemployment is bound to cause labour standards to slump, which ought to be prevented. Thirdly, to provide the employers and workers with a resolve to collective bargaining and learn to work together in the solution of other common problems. Nothing in my judgement can bring this about more effectively than sound and responsible Trade Unions.

" I do not propose to assert that the Labour Department does not linger on. I must mention I find one great handicap in pursuing our goal. It arises from the provisions of the I.L.O. with regard to Conventions. I said that our liability arising out non-ratification of the Conventions is indeed very great. I must at the same time point out that this is due not so much to the unwillingness of the Government to recognise the essential good underlying the Conventions, it is due largely to the rule which requires that a convention must be adopted without change or modification. It must be adopted as a whole, or not all. I am sure it is this provision, forcing on us a policy of 'all or none ' is not very helpful. It does not permit us to realise our goal by progressive stages which is the only one by which vast and backward countries like India can hope to advance. Stage By Stage Progress

" I want to press for a modification of this rule, as being very necessary for Asiatic countries which have a long and a different journey to cover. It should not be impossible to get a change made in the existing provisions. It should be possible for the I.L.O. to draft a Convention so as to provide for stages. It should also be possible for the I.L.O. to lay down that the convention should be carried out stage by stage, coupled with the provision that the whole list of Conventions should be carried within a given period. I am sure you will agree with me that a change which permits progressive realisation of international conventions is to be preferred to a rule which makes them so many dead letters.

" There is one other matter to which I must make some reference lest you should misunderstand. You remember, the Conference last year appointed a Committee to consider some of the proposals I had made for changing the Constitution of the Conference. You might like to know what action Government propose to take on the report of the Committee.

" As recommended by the Committee, Government do not at present propose to make any changes in the Constitution of the Conference.

Government think it enough not to do anything more than to change the name of the organisation as recommended by the Committee. The Conference is meeting under different names, such as Ministers' Conference, Tripartite Conference and Plenary Conference. I am glad that the Committee decided to call it the ' Labour Conference '. Notwithstanding what Shakespeare has said there is much in a name. The name ' Labour conference ' may not have a partite ' or' Plenary '. The only comment I have to make is that the name as proposed by the Committee lacks colouring—a

defect which could be easily removed if instead of calling it ' Labour Conference ' we decided to call it the ' Indian Labour Conference '. I take it that you are in agreement with me on this point.

" There is another thing which Government propose to do, which is quite independent of the report. It is to enlarge the functions of this Conference.

" At the last I.L.O. Conference held in Paris the delegate of the Government of India gave an undertaking to place all recommendations and Conventions passed by the I.L.O., before, this body for discussion. The Government of India have decided to honour that undertaking. I am sure you will welcome this extension of your powers and functions. It will enable the Provinces and States to know what was done at each Session of the I.L.O. and profit by the views of the employers and employees in regard to it."

CONFERENCE PROCEEDINGS

The Indian Labour Conference, consisting of the representatives of Central and Provincial Governments, important states and employers' and workers' organisations unanimously supported the principle of the 48-hour week in India's factories at its meeting on November 27. There was, more or less, complete agreement in regard to the Government's proposals for the statutory provision of industrial canteens and for the amendment of the Workmen's Compensation Act, 1934.

The Labour Department's memorandum on the reduction of working hours pointed out that it was both unjust and unwise to deny the workers a reasonable amount of spare time away from the factory, which was indispensable for the building up of citizenship and for the maintenance of his physical efficiency. It emphasised that the present was an opportune moment for taking up this question because there was a need for giving relief to factory workers who had been put to a great strain during the war. Moreover, shorter hours would lead to greater employment. The memorandum made it clear that the reduction in hours should not be accompanied by any reduction in basic wages or dearness allowances unless there was a fall in prices. The rates of pieceworkers should be adjusted on the principle that a piece-worker should earn not less than a time worker.

The Conference also discussed the organisation and functions of the Employment Exchanges set up by the Labour Department to help the resettlement and employment of demobilised Services personnel and discharged war workers during the transition period.

The Labour Department's memorandum on the subject recorded that Employment Exchanges can only give useful assistance if they are in possession of information regarding the employment opportunities available or likely to be available. The use of the Employment Exchange organisation, it continued, will prove of mutual benefit to employers and employment-seekers and will ensure satisfactory distribution of manpower among various branches

of production. It will also facilitate the mobility of Labour, both occupational and geographical, and will obviate any bottle-necks in the supply of various categories of workers..

The attitude of Employment Exchanges during strikes or lockouts and the question of compensation to the workers during involuntary unemployment resulting from controls were the two other subjects considered in today's session. The first subject was adjourned after some discussion for tomorrow's session, and on the second the Conference was not able to arrive at an agreed decision.

Minimum Wages

When the Conference assembled on November 28 to conclude its seventh session, the Hon'ble Dr. B. R. Ambedkar announced that a committee consisting of two representatives of employers and two of employees will be formed shortly to advise the Government in drafting legislation for fixing minimum wages for labour and for amending the Indian Trade Unions' Act, 1926.

Though the principles of these two measures were agreed to by the Conference, various points of view were expressed during the discussions. The appointment of the Committee is to meet the point raised by many speakers at the Conference that, in view of the importance of these two measures, they should be examined in detail.

The Conference was unanimous in its decision regarding the framing of standing orders in industrial concerns and on the attitude that should be adopted by the Employment Exchanges during strikes or lock-outs. It was agreed that, during strikes or lockouts. Employment Exchanges should accept vacancies and inform suitable applicants of the existence of the trade dispute before submission. They should register workmen and submit them for other employment, informing the prospective employers that they are unemployed as the result of an existing trade dispute.

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Multi-purpose Plan for Development of Orissa's Rivers

Dr. B. R. Ambedkar's Speech at Cuttack

" Orissa wants to get rid of the evils of floods. Orissa wants to get rid of malaria and other—to use American phraseology—' low-income ' diseases causing ill-health and corroding the stamina of her people. Orissa wants to raise the standard of living of her people and advance their prosperity by irrigation, by navigation and by producing cheap electrical power. All these purposes can fortunately be achieved by one single plan, namely to build reservoirs and store the water which is flowing in her rivers "

Thus observed the Hon'ble Dr. B. R. Ambedkar, Labour Member to the Government of India, in his Presidential address at a conference held in

Cuttack on November 8 between the representatives of the Central Government and the Governments of Orissa, the Central Provinces and the Eastern States, to discuss the possibilities of developing Orissa rivers.

Orissa 's Problems

Referring to the problems of Orissa, the Labour Member observed : " To say that the problem is one of floods is both an oversimplification and an understatement of the problem. I see the problem in somewhat different light. When I think of Orissa, the picture that comes to my mind is that of a people subject not to one affliction, but many.

" One such affliction, which is on the lips of everybody, is the constant exposure of her people to floods which cause damage to life and property and, in a general sense, insecurity. This affliction is due, not merely to floods, but also to droughts and famines. Damage by droughts and famines can be as great as that caused by floods. It is said that in the drought of 1866, nearly 40 per cent of the population of Puri district perished.

" Deterioration in health is another affliction of the people of Orissa. The total population of the province of Orissa is 77 1/2 lakhs. According to the health report of the province, the total deaths in 1944 were 2,35,581. Of these, 1,30,000 died from some kind of fevers and a majority by malarial fever. This means that three per cent of her people died in 1944, and of these nearly half died of malaria. This is a very high figure. In 1944, 19 per cent of the student population was found to show distinct signs of malnutrition and 8.7 per cent showed signs of vitamin deficiency.

" If these facts are true, Orissa cannot be said to be above the poverty line. The third affliction of Orissa—I think it could be called an affliction—is its want of internal communications. Orissa is a locked-up country. Except for the solitary railway line, running along her eastern sea coast, there is no means of communication either by railway or by canal to connect the vast hinterland with the sea coast."

" Should Orissa continue to be in such a wretched state as it is today ? " Dr. Ambedkar asked. " It need not. It has natural resources, and they are by no means meagre. Orissa has coal, Orissa has iron, chrome, graphite, bauxite, limestone, mica, and Orissa has also bamboo, to mention only some of its important natural resources."

" There is another precious possession which Orissa has, namely her water wealth. The amount of water that passes through the Orissa delta is just vast. The delta—comprising roughly the three districts of Cuttack, Puri and Balasore and covering an area of about 8,000 square miles—is traversed by a network of distributaries arising mainly from three rivers, the Mahanadi, the Brahmani, and the Bailarani.

"Two more rivers—the Burabalong and the Subarnarekha—of relatively lesser importance, also pass through the delta. The three main rivers referred to above drain an area of 69,000 square miles above the delta, lying in the

Eastern States, Central Provinces and Bihar. Of these the Mahanadi—the largest of the three—drains 51,000 square miles. Between them, these three rivers carry each year to the sea a discharge of about 90 million acre feet."

The Labour Member continued : "Given the resources, why has Orissa continued to be so poor, so backward and so wretched a province ? The only answer I can give is that Orissa has not found the best method of utilising her water wealth. Much effort has undoubtedly been spent in inquiring into the question of floods. As early as 1872, there was a general enquiry by Mr. Rchnand .I do not know what happened to his report. Nothing seems to have been done thereafter till 1928. From that year down to 1945, there have been a series of committees appointed to tackle this problem.

" The Orissa Flood Enquiry Committee of 1928 was presided over by the well-known Chief Engineer of Bengal, Mr. Adams Williams. In 1937, the enquiry was entrusted in the able hands of Sri M. Visvesvarayya, who submitted two reports—one in 1937 and another in 1939. His work was followed by the Orissa Flood Advisory Committee. The Committee submitted a preliminary report in 1938 and continued its work till 1942, during which period it submitted three interim reports. The latest effort in that direction was made as recently as March 15, 1945, when a Flood Conference was convened at Cuttack by the Government of Orissa.

" With all respect to the members of these committees, I am sorry to say they did not bring the right approach to bear on the problem. They were influenced by the idea that water in excessive quantity was an evil, that when water comes in excessive quantity, what needs to be done is to let it run into the sea in an orderly flow. Both these views are now regarded as grave misconceptions, as positively dangerous from the point of view of the good of the people.

Conservation Of Water

" It is wrong to think water in excessive quantity is an evil. Water can never be so excessive as to be an evil. Man suffers more from lack of water than from excess of it. The trouble is that nature is not only niggardly in the amount: of water it gives, it is also erratic in its distribution—alternating between drought and storm. But this cannot alter the fact that water is wealth. Water being the wealth of the people and its distribution being uncertain, the correct approach is not to complain against nature but to conserve water.

" If conservation of water is mandatory from the point of view of public good, then obviously the plan of embankments is a wrong plan. It is a mean which does not subserve the end, namely conservation of water, and must, therefore, be abandoned. Orissa delta is not the only area where there is so much amount of water and there is so much amount of evil proceeding from that water. The United States of America had the same problem to face. Some of these rivers— Missouri, Miami and Tennessee—have given rise to

the same problem in the U.S.A.

" Orissa must, therefore, adopt the method which the U.S.A. adopted in dealing with the problem of its rivers. That method is to dam rivers at various points to conserve water permanently in reservoirs. There are many purposes which such reservoirs can serve besides irrigation. I am told that if it were possible to store the entire run off of the Mahanadi it will be enough to irrigate thereby a million acres, provided that much area was available. Water stored in the reservoirs can be used for generating electric power.

" If in the midst of its natural resources, Orissa has remained an industrially undeveloped area, it is due to want of cheap power to run its factories. Here there will be abundance of electric power, more than Orissa can hope to consume for a long time to come. Another use to which this water could be put to is navigation.

" Navigation in India has had a very chequered history. During the rule of the East India Company, provision for internal navigation occupied a very prominent part in the public works budget of the Company's Government. Many of the navigation canals we have in India today—and you have one in Orissa itself—are remnants of that policy. Railways came in later, and for a time the policy was to have both railways and canal navigation. By 1875, there arose a great controversy in which the issue was railways *versus* canals. The battle for canals was fought bravely by the late Sir Arthur Cotton—one of the few engineers with big ideas. Unfortunately supporters of Railways won.

" I am not quite happy about this victory of railways over canals. Much more annoying is the ignorant opinion of supporters of railways that canals must go because they do not pay, without knowing that if the canals do not pay it is not because they cannot pay but because their capacity to pay has been terribly mutilated by leaving them uncompleted. I am sure that internal navigation cannot be neglected in the way in which it has been in the past. We ought to borrow a leaf from Germany and Russia in this matter and not only revive reconstruction of our old canals but make new ones also and not to sacrifice them to the exigencies of railways."

Special Feature

The Labour Member reiterated that the storage scheme, as applied to the rivers of Orissa, will have this special feature, namely, that it will not only give irrigation and electricity, but also provide a long line of internal navigation. " I am told it may be possible to connect Chandbali to Sambalpur and beyond by a navigable inland waterway by construction of, say, some three dams at (1) the point of its debouche from the hills (seven miles above Naraj), (2) Tikkirpara and (3) above Sambalpur. If this plan works out, there will be a navigable channel for 350 miles which could be maintained all the year round, affording a cheap and convenient artery for passenger and goods traffic.

Imagine the possibility coastal craft or light vessels going right into the interior on a canal extending from the sea *via* Cuttack to Sambalpur, and beyond into the Central Provinces. Here is a scheme which converts forces of evil into powers of good.

" Orissa wants to get rid of the evils of floods. Orissa wants to get rid of malaria—and other—to use American phraseology—' low-income ' diseases causing ill-health and corroding the stamina of her people. Orissa wants to raise the standard of living of her people and to advance her prosperity by irrigation, by navigation and by producing cheap electrical power. All these purposes can fortunately be achieved by one single plan, namely, to build reservoirs and store the water which is flowing in its rivers.

Multi-purpose Reservoirs

" I am, therefore, glad to note that the Orissa Flood Protection Committee held in 1945, struck the right note when it said that the final solution of Orissa's water problem should be sought in the construction of multi-purpose reservoirs. My comment is that this should be regarded as the only method and treated as an immediate programme rather than as an ultimate aim. The potentiality of this project may not be clear to everybody. But it is indeed very great. It is desirable that some idea of its immensity should be conveyed to the Government of Orissa, the representatives of the States of Orissa and the people of Orissa as well, so that their interest in the project may be aroused.

" A comparative statement may well give such an idea. One hears of the lake made at the Boulder Dam in the U.S.A. as the biggest man-made lake in the world. We also hear of the Mettur Dam in Madras and the proposed Tungabhadra Dam in Hyderabad, which are likely to be its rivals. Compared with the First, the total volume of water that flows annually through the Orissa rivers will fill three times the lake mentioned. Compared with the Mettur Dam in Madras and the Tungabhadra Dam in Hyderabad, it may be pointed out that the Mahanadi alone carries over 65 million acre-feet, which would be 30 times the capacity of the reservoir at the Mettur Dam in Madras and 20 times the capacity of the proposed Tungabhadra Dam. How much of this water we can economically and effectively store is a matter for investigation. The Government of Orissa, the States in Orissa and the people of Orissa should, therefore, regard themselves as lucky and proud of this project and determine and endeavour to make it a reality."

Dr. Ambedkar continued : The agenda for the meeting is a very modest one. It is (1) to consider the desirability of undertaking forthwith surveys and investigations of Orissa rivers with a view to the preparation of schemes of unified and multi-purpose development comprising (a) flood control, (b) navigation, (c) irrigation and drainage, (d) soil conservation, and (e) power development ; (2) to consider the desirability of concentrating, in the first instance, on surveys and investigations on the Mahanadi river for control and

development of that river ; (3) to examine the desirability of surveys and investigations being carried out by provincial governments in conjunction with, and under the general direction of, the Central Waterways, Irrigation and Navigation Commission."

" Our main purpose today is to see if we can agree on the necessity for a thorough survey and investigation of the natural resources and physical features of the region with a view to prepare a comprehensive scheme for its development. For a balanced appreciation of the situation it is necessary to carry out comprehensive surveys and investigations with a view to ascertain the possibilities of irrigation, navigation, power development and their facilities in the delta as well as in the drainage area as a whole. Investigations so far carried out have been mostly limited to the delta, although some work had been done in 1862 on the survey of dam sites for small reservoirs on the five tributaries of the Mahanadi, namely, the Telcoma, the Ibcoma, the Maudcoma, the Hasd and the Jonk.

" The Central Waterways, Irrigation and Navigation Commission constituted by the Government of India under the chairmanship of the able and well-known irrigation engineer, Rai Bahadur Khosia, is shortly going to initiate hydrological and other surveys of Orissa rivers as part of their enquiry. It will be necessary for provinces and states to undertake connected surveys in conjunction with, and under the general direction and supervision of, the Commission.

Submergence Of Areas

" Beforeclosing ", Dr. Ambedkar observed, " I would like to draw the attention of the parties which have met at this conference to two points. They are intimately connected with the success of the project and about which they will have to make up their mind at an early date. First is their readiness to consider the question of submergence of land. Reservoirs formed by construction of dams will submerge large areas of land, both in Orissa and the Eastern States. If these dams are carried higher up the river or its tributaries, certain areas in the Central Provinces will also be submerged. This question will need to be considered in detail in relation to the over-all benefits of the integrated scheme."

" Submergence of areas will be inevitable if the waters of the rivers have to be conserved for beneficial use instead of being allowed to run waste and to work havoc *en route*. The resulting benefits from a scheme of united and multi-purpose development should far outweigh loss of lands due to submergence. This project can be a success only if it is treated as a regional project. It cannot succeed with a local treatment. The province of Orissa will fail if it were to take up a project confined to its own boundaries. The same will be the result if an Orissa State were to make a similar attempt.

"The project being essentially regional, it raises the question of submergence of State and Provincial sovereignty to the extent necessary.

This is the second question to which I wish to refer. It is for the Orissa States and the Government of the Province to come together in order to shed a part of their sovereignty over different sections of the rivers that are flowing through their territory so that the project could be undertaken, planned, devised and am by a single authority without disturbance either from the province or from the states once it is established. I need hardly say that the welfare of the public is far more important both to the Government of Orissa as well as to the Rulers of Indian States affected than sovereignty. Their sovereignty should be used for advancing the welfare of the people and not for blocking it. With co-operative and co-ordinated effort on the part of the Central Government and the Provincial and State Governments, it should be possible to harness for beneficial use this perennial source of wealth waters of Orissa rivers—which are at present running to waste and causing untold suffering on their way to the sea."

SURVEY OF ORISSA RIVERS : CONFERENCE DECISIONS

The conference decided to undertake a preliminary surveys of the Orissa rivers to prepare schemes of unified and multi-purpose development. Multi-purpose schemes which may be prepared after this preliminary survey are intended to comprise flood control, navigation, irrigation and drainage, soil conservation and power development.

The Conference agreed that, in the first instance, the possibilities of controlling and developing the Mahanadi river should be surveyed. It was further agreed that surveys should be carried out by the Provincial Governments concerned in conjunction with and under the general direction and supervision of the Central Waterways, Irrigation and Navigation Commission.

It was explained that the Commission would, in the beginning, carry out a preliminary reconnaissance over the entire length of the Mahanadi, and if, as a result of such reconnaissance, a *prima facie* case for the development of the river for the benefit of the provinces and states concerned was established, further detailed survey and investigation would have to be undertaken. It would only be at this stage that full participation of parties concerned, both administrative and financial, would be necessary. Till then the Central Waterways, Irrigation and Navigation Commission propose to carry on preliminary reconnaissance with the help of the recently created Orissa Rivers Division of the Provincial Government. It was agreed that the C. P. Government and the Eastern States would supply the Central Waterways, Irrigation and Navigation Commission with all such data and information as they already possessed and would cooperate fully with them in order to explore the possibilities of the Mahanadi river.

Mr. GOKHALE'S SPEECH

Mr. B. K. Gokhale, Adviser to H. E. the Governor of Orissa, welcoming the

plan outlined by Dr. Ambedkar, said: " Orissa is perhaps the most backward part of India and no single project is likely to do more to improve the conditions of the people than the multipurpose development which we have under contemplation ". He outlined the history of Orissa up to modern times, and said that Orissa expected that the thought which had been given to planning and regional development would start her on an era of happiness and prosperity.

* * *

POST-WAR IRRIGATION AND HYDRO-ELECTRIC SCHEMES

" There is no doubt whatever about India's lead to the world in irrigation. Nor of its vital importance to India ; with our rapidly increasing population we must irrigate to live ", said H. E. the Viceroy opening the 16th annual meeting of the Central Board of Irrigation held on November 26 in the Council Room of the Viceroy's House, New Delhi. Besides the experts of the Government of India and the Chief Engineers of Provinces and States, the Hon'ble Dr. B. R. Ambedkar, Member for Labour, and the Hon'ble Mr. H. C. Prior, Secretary, Labour Department, attended. The Viceroy said:

" I am very glad to be able to open the 16th Meeting of this Central Board of Irrigation. Your branch of engineering is an ancient, important, and very honourable one. Irrigation engineers are the oldest experts in the world. The 2nd Chapter of Genesis tells us that ' A river went out of Eden to water the garden ' obviously the first recorded example of irrigation. The two ancient civilisations of Egypt and Mesopotamia were of course built entirely on irrigation ; and the forerunners in your craft were presumably a much honoured guild or fraternity in those countries.

" Amongst the most eminent of the early irrigation experts must be numbered Moses, of whose achievements, in the art of irrigation we know at least two ; when he smote the rock at Horeb, bidding drink and live the crowd beneath him ; and when he sweetened the bitter water at Marah, presumably by building a dam to keep out some brackish element.

India's Achievements

" Other engineers may give us speed in travel or comfort in our dwellings ; your gift is that of life itself. If you want a text for your labours you will find it in a verse of Isaiah; ' I give waters in the wilderness and rivers in the desert, to give drink to my people ' .

54

Rejection of Railwaymen's Federation Demands Re: Retrenchment

The Honourable Dr. B. R. Ambedkar (Labour Member): Mr. Chairman, in the morning when this adjournment motion was admitted I did not think that

the Labour Department would have to come into this debate in order to explain its position. But when the debate opened I found that two of the speakers who have supported the motion have come down somewhat heavily on the Labour Department. Their charge was that although the dispute has been going on for some considerable time, the Labour Department has not played the part which it is expected to play in this dispute. Sir, I admit that the Labour Department has a considerable amount of responsibility in this matter. It is a department which has been established in order to see that the working classes do get their dues and if the Labour Department can be found to have failed in its duty, it would undoubtedly be deserving of the censure that is moved. But I am sorry to say. Sir, that my Honourable friend, Sardar Mangal Singh,—who in the first instance alluded to the responsibility of the Labour Department and said in a somewhat, if I may say so, slighting manner, that the Labour Member was either sleeping or fiddling—was completely unaware of the facts of the situation and has certainly not informed himself of what the Labour Department has done in this matter. I think it would therefore be desirable that I should place before this House some very relevant facts with regard to this matter.

First time when the Labour Department came to know that there was such a dispute between the Railwaymen's Federation and the Railway Board was on the 5th October, 1945, when a letter was sent by an official of the Indian Railwaymen's Federation forwarding a number of resolutions that had been passed at a session of the Railwaymen's Federation. After that letter a second letter was received by the Labour Department on the 10th October, 1945. In that letter a request was made that the Labour Department should move and appoint an adjudicator in order to decide upon the terms mentioned in the resolution. Now, Sir, it will be admitted that before any such grave step as that of the appointment of an adjudicator is taken, it is the duty of the Labour Department to bring the two parties together and to induce them to meet in a formal manner, discuss the various outstanding questions, reduce their differences as far as they possibly can agree to each other's demands. That duty, I am glad to say, the Labour Department immediately performed and they induced the Railway Department to meet the representatives of the Indian Railwaymen's Federation and to discuss points of dispute. Honourable Members might be aware that after the discussion had taken place between the Railway Department and the Indian Railwaymen's Federation a communique was issued by the Railway Department stating that a meeting had taken place and certain matters which were matters of dispute were discussed between the two parties. Now that thing happened as late as the 5th of December, when this communique was issued. Certainly from the 5th of December up to day it cannot be said that an unduly long delay has happened or an unduly long delay has been brought about or that there has been any dilatoriness on the part of the Labour Department that they did not

move in this matter as soon as they ought to have done.

But there is one other point to which I would like to draw the attention of the House. It cannot be said—and I think Mr. Guruswami ought to be in possession of this fact—that the negotiations have not been concluded. Negotiations are still going on and I may tell the House that it has been agreed between the Railway Department and the Federation of Indian Railwaymen that a small committee of the Indian Railwaymen's Federation be appointed in order to carry on further negotiations with the Railway Department. The date fixed for that meeting is towards the end of January 1946. The end of January 1946 has not yet come. There is still time for negotiation..... Shri Prakasa : ' Towards the end ' has come.

The Honourable Dr. B. R. Ambedkar : Yes, but that is a matter which I am

Diwan Chaman Lall (West Punjab—Non-Muhammdan): May I interrupt my Honourable friend for a minute ? Is it a fact that the demand for the appointment of an adjudicator has been definitely turned down by the Government ?

The Honourable Dr. B. R. Ambedkar : I am coming to that. The point I was making was this—that there can be no question of the appointment of an adjudicator unless the Labour Department is, fully satisfied that the last attempt for a mutual settlement between the two parties has failed ; and what I am pointing out to my honourable friend is this—that an opportunity still exists, an opportunity is still provided, and it is for the Railwaymen's Federation to inform the Railway Department what will be the exact date on which they will meet the Railway Department.....

Diwan Chaman Lall : May I ask my honourable friend once again whether it is a fact that the Government have denied to the Railwaymen's Federation any information regarding the number of people that they have decided to retrench, and secondly, whether they have refused to appoint an adjudicator, and thirdly whether they are still continuing to retrench men? I think about 10,000 have already been retrenched. Where then is there the further question of negotiation when the Government has taken up this point of view ?

The Honourable Dr. B. R. Ambedkar: I think my honourable friend forgot, when I got up to intervene in this debate, that I said I would confine myself to the question of adjudication. The rest of the question as to how many will be retrenched, whether they will be retrenched, if retrenched how they will be dealt with, all that is a matter which I am sure will be dealt with by my Honourable colleague who will reply after I have finished. As I said, I am only discharging the responsibility that falls on the Labour Department. The point that I was making was that unless and until the Labour Department is satisfied that there is no further room for settlement, it would be impossible, it would be unfair and quite contrary to established procedure for the Labour Department to intervene and say " We shall appoint an adjudicator". The point

I was making, therefore, is this—that this motion, at any rate that part of the speech of my Honourable friend who accused the Labour Department of not having stepped in at the right moment, is certainly too premature, and I think if he will bear in mind the facts I have disclosed, he would himself voluntarily withdraw the statement that he made that the Labour Member was fiddling. I certainly was not.

Then let me come to the other side of the question. It is true that under the Defence of India Act, the Government does possess the power to appoint an arbitrator under rule 81 of the Defence of India Act. But I think it is only fair to mention that although this is an emergency legislation, we are not altogether precluded from observing such canons of judicial consideration from exercising the powers that we possess under rule 81, that is, arbitration. For the purposes of arbitration we must have a dispute in existence. As I have said, at the present moment there is no dispute ; the matter is under consideration. Secondly, before any adjudication is made, we must be satisfied that the dispute relates to terms and conditions of employment—for instance, that the dispute relates to hours of work, to wages, and to points of that kind. What is the point that is at dispute between the Railway Department and the Indian Railwaymen's Federation ? I am sorry to say that the Railwaymen's Federation has certainly not conducted its case in the way in which it ought to have conducted it. They have certainly have gone and done a great deal of harm to themselves. The point, I would like to make in this connection is this—what is the point on which the Railwaymen's Federation is stressing all through ? Is it a point that relates to hours of labour ? Is it a point that relates to wages ? I say definitely that the points of dispute do not relate to either of these two points. It is quite true that the Railwaymen's Federation has passed a number of resolutions many of which refer to hours of work and to conditions of labour. But we have got to make a distinction between what are called fundamental points of dispute and points which are merely tagged on. If one were to examine the resolution that has been passed by the Railwaymen's Federation, we find that the gravamen of their complaint is that the railways shall not reduce a single workman. Questions relating to hours of labour and questions relating to wages are just tagged on—they are not the points of difference. In order to substantiate what I am saying, the fundamental point of dispute between the railways and the Indian Federation of Railwaymen is the question of retrenchment, the question is as to how many persons will be employed and how many will be discharged. I would like to point out one or two other circumstances.

The first is this—as I said, in their letter of the 5th of October 1945, they had put forward some fifteen or fourteen demands. A conference was arranged between the Labour Department and the President of the Indian Railwaymen's Federation, Mr. Giri, in order to assess and find out what exactly were the points which they regarded as fundamental. and I should like

to tell the House that although there were fifteen resolutions, only three points were placed before the Labour Department for consideration. The rest of them were regarded by the Railwaymen's Federation as matters of no consequence. Again when a formal meeting was brought about the Railwaymen's Federation and the Railway Department, even the three points that were raised before the Labour Department were dropped, and the only point that was taken up was the question of retrenchment. With all respect to the gentlemen who have spoken and to the President of the Railwaymen's Federation, I must confess my utter inability to understand how, for instance, a question as to how many people should be employed by a particular department, can be treated as a justiciable dispute. I am waiting, as I said, for the president of the Railwaymen's Federation to evolve out of the negotiations with the Railway Department some point which might be regarded as justiciable, so that the Labour Department may find it is worthwhile to intervene and to persuade that an adjudication be made. Sir, I think that a censure motion is not deserved.

55

Proposed Evacuation of Villages in the Prosecution of the Damodar Scheme

Mr. President : Then there is the motion of Mr. Ram Narayan Singh, about the proposed and forced evacuation of thousands of people of hundreds of villages of the Hazaribagh, Manbhum and Sonthal Parganas districts of Bihar from their homes and hearths in the process of the prosecution of the Damodar Scheme. I should like to know what exactly the Honourable Member means by this motion.

Babu Ram Narayan Singh (Chota Nagpur Division : Non-Muham-madan) : Sir, land acquisition proceedings are going on in some of the districts. In the process of the prosecution of the Damodar Scheme, several villages are going to be occupied by the Government and the people are about to be asked to evacuate those areas.

Mr. President : May I know when the scheme was started and how far it has proceeded ?

The Honourable Dr. B. R. Ambedkar (Labour Member) : I would like to submit that at this stage there is absolutely nothing to be discussed. Government has no doubt under contemplation putting certain dams on the Damodar River, which flows through Bihar and Bengal; but with regard to the specific questions raised in this adjournment motion, which speaks of forced evacuation, all I have to say is this : that we are at a very very preliminary stage : we are merely making an inquiry as to how much land would be submerged by the enclosure of this water, what would be the area that would be affected, etc., and we are trying to see how many persons will have to be evacuated, the nature of their holdings and what rights they have. There is really nothing specific ; no action has been taken by Government at this stage

which could be the subject-matter of discussion ; and what I would like to say is this : that I hope when the government has come to some definite conclusion in this matter I shall be able to circulate a paper to the House containing the conclusions of Government and members can then raise the matter for discussion in any way they like.

Babu Ram Narayan Singh: My information is that the land acquisition proceedings are going on in the Hazaribagh district and they are asking people to go away.

Mr. President : Is the Honourable Member sure that those proceedings are in respect of this very scheme ?

Babu Ram Narayan Singh : Yes.

Mr. President : But it appears that the Government has done nothing so far.

The Honourable Dr. B. R. Ambedkar : Government are merely acquiring some land for the purpose of having access roads.

Mr. President : In connection with this scheme ?

The Honourable Dr. B. R. Ambedkar : Yes: they have only served notices in order to prepare some access roads. No question of evacuation has arisen at this stage.....

Mr. President : The acquisition is for the purposes of collection of data ?

The Honourable Dr. B. R. Ambedkar: There is no question of acquisition at this stage at all. No doubt if government decide to construct certain dams on the Damodar River, certain approach roads must be made for that purpose ; and for that purpose they have served notices on a few people in order to acquire small strips of land for the purpose of making roads. As to the specific question raised in the adjournment motion regarding forced evacuation of thousands of people in hundred of villages in the Hazaribagh districts and Manbhum and Sonthal Parganas, from their homes, it certainly does not arise at this stage because government has no idea as to what will happen, if I may say so. It is very very preliminary.

Mr. President: The difficulty I am feeling about this is that, if government have decided that the dams should be put up and if they are taking steps initially for approach roads, what does it matter whether they have been able to ascertain or not as to how many people will have to be evacuated, because the dam will be an established fact ?

The Honourable Dr. B. R. Ambedkar: No, Sir; we are still consulting consultants from outside to help us as to what correct decision we should take. I submit it is very preliminary. I can make no statement to the House at all.

Mr. President: What I want to know is, have the government decided that the dams should be put up ?

The Honourable Dr. B. R. Ambedkar : It is their project—it is not a final project as yet.

Shri Mohan Lal Saksena (Lucknow, Non-Muhammadan Rural) : May I understand that it will come up before the House ?

The Honourable Dr. B. R. Ambedkar : It is under examination. We have not yet got the financial sanction for it.

56

Workmen's Compensation (Amendment) Bill

The Honourable Dr. B. R. Ambedkar (Labour Member) : Sir, I move.

" That the Bill further to amend the Workmen's Compensation Act, 1923, be taken into consideration."

This is a very simple Bill and the purpose of the Bill is to rectify an injustice caused in the present circumstances to a workman who is drawing Rs. 300 as his wages. As Honourable Members are perhaps aware, under the definition of a " Workman " in the Workmen's Compensation Act, the right to compensation is limited to those workmen who draw up to Rs. 300 as their wages. Before the war it was possible for every workman who drew Rs. 300 as his wages to get the benefit of this Act. Since the introduction of War allowances and other measures such as the grant of dearness allowance, bonuses, good conduct pay and other payments which have been granted to the workmen what has happened is that a workman who formerly got compensation is now deprived of that compensation because his wages come to more than Rs. 300. This is due to the reason that under the definition of the term " wages " as given in the Workmen's Compensation Act all that extra remuneration which the workman gets other than wages is regarded as part of his wages for the purpose of computing his compensation. The result is that a workman who formerly was to get compensation now does not get it. The Bill seeks to protect such a workman by increasing the maximum monthly wages from Rs. 300 to Rs. 400. The Bill therefore has two provisions in it, one is to amend the definition of the workmen so that instead of limiting the wages to 300 it raises to 400, and secondly, to amend schedule IV to the Act which prescribes the compensation which a workman is entitled to get for death, permanent total disability and temporary disability.

As I said, Sir, the Bill is a very simple measure. It merely copies what has actually been done in Great Britain. There too, in order to protect the rights of a workman who originally got compensation, the limit of wages has been raised from £ 350 to 425. The Bill is not only a simple measure, but it is also a non-contentious measure. The Provinces have been consulted with regard to the provisions of this Bill and they have unanimously agreed to the amendments which are made by this Bill. The proposal also was put forth before the Standing Labour Committee and there too it has secured the unanimous approval of all members of the Committee. Sir, I do not think I need expatiate at a very great length on the provisions of this Bill. With these observations, Sir, I move.

Mr. President : The question is

" That the Bill further to amend the Workmen's Compensation Act, 1923, be taken into consideration." The motion was adopted. Clauses 2 and 3 were added to the Bill. Clause I was added to the Bill. The Title and the Preamble were added to the Bill.

The Honourable Dr. B. R. Ambedkar: Sir, I move.

" That the Bill be passed."

Mr. President : Motion moved.

" That the Bill be passed."

* * *

Mr. President : Has the Honourable Member anything to say ?

The Honourable Dr. B. R. Ambedkar : As I said this Bill is brought forward for the purpose of rectifying the injustice done to a particular class of workmen. It is not a Bill which is intended to do anything more than that. All that I can say at this stage is that I shall bear the points that have been made by my Honourable friends who have spoken on this Bill and see whether something can be done in order to give effect to the suggestions that they have made. I might tell the House that we have in contemplation a Bill which deals with State insurance, which will include sickness insurance, workmen's compensation, maternity benefit, more or less on the lines of the social security measures adumbrated in England, and I think my friend will find that some of the suggestions, namely that the alteration of the system of lump-sum payments into periodical payments are being carried out in that measure.

Mr. President : The question is " That the Bill be passed." The motion was adopted.

57

Indian Mines (Amendment) Bill

The Honourable Dr. B. R. Ambedkar (Labour Member) : Sir, I move.

" That the Bill further to amend the Indian Mines Act, 1923. be taken into consideration." This Bill is a very simple measure.

[(At this stage, Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan).]

The purport of the Bill is to impose an obligation upon the mine owners to provide pit-head baths " equipped with shower baths and locker rooms for the use of men employed in mines and of similar and separate places and rooms for the use of women in mines where women are employed and for prescribing either generally or with particular reference to. the numbers of men and women ordinarily employed in a mine, the number and standards of such places and rooms." I do not think there can be any dispute as regards the necessity of providing pit-head baths. It is bound to improve the self-respect of the miner and I am sure about it that it is very desirable that he should return home a clean person, if possible with clean clothes. This measure has been considered by the Coal Mines Advisory Committee which

has been appointed by Government in order to administer the Coal Mines Welfare Fund. The Committee has unanimously accepted the proposal that pit-head baths should be an obligation of the colliery owners. In order to give effect to it, the Bill provides that under the rule-making power which is given to the Government of India under section 30 of the Mines Act, the Government shall have the power to make a rule prescribing pit-head bath. That is the main purpose of the Bill.

The second clause of the Bill does nothing more than exempt Government from following the usual procedure in the matter of making rules under the Coal Mines Act which are prescribed by Section 31. Section 31 says that any rules made under the Act shall be first published and then passed. We wish to exempt the rules that we propose to make under the provisions of this Bill from the provision of previous publication prescribed under Section 31. The reason for providing such exemption is that we are very anxious that this liability not only should be imposed, but should be carried out immediately, we wish to avoid delay. In fact, I might tell the House that the Government are so anxious to have this system of pit-head baths introduced in all coal mines immediately that Government themselves have made a provision by which they are prepared to offer ten per cent of the capital cost of the baths to colliery owners if they undertake to provide such baths within twelve months. In order that this may be done, we do not propose to have these rules subjected to the provision of Section 31. The Bill is so essential and so simple and so non-controversial, that the House will accept it without much ado—Sir, I move. Mr. Deputy President : Motion moved. " That the Bill further to amend the Indian Mines Act, 1923, be taken into consideration."

* * *

The Honourable Dr. B. R. Ambedkar : We want to hasten this thing and that is why we offer this kind of encouragement, that if a mine owner does construct these baths within twelve months from a given date he will get this concession. Otherwise, he will not get it and he will have to do it at his own cost.

Pandit Govind Malaviya : Will not that purpose be served if it were laid down that the mine owners shall get those baths ready within twelve months.....
The Honourable Dr. B. R. Ambedkar : We must give some time.

* * *

* **The Honourable Dr. B. R. Ambedkar** : Sir, I did not think that my Honourable friend Mr. Siddiqui, would be so much perturbed,— he is not here in the House just now—by the shower baths. But I would like to tell the House that the question whether there should be shower baths or not is not an idiosyncrasy on the part of the Government or their own innovation. There is, as I told the House, an Advisory Committee, representative of coal miners, coal owners, representative of the Bengal Government and Bihar Government, which advise Government in the matter of the administration of

what is called the Coal Miners' Welfare Fund. This question of the sort of baths that should be provided was put before the Committee and I would like to tell the House that in this Committee there are not only representatives of trade unions, but there are representatives actually of workmen and workwomen. There is one representative of actual coal miners and there is one representative of women miners and it is with their unanimous assent that Government decided to have shower baths.

So far as I am able to see, I should have thought that a shower bath would be far more effective in the matter of cleaning the person of a worker in coal mines than immersion in water or holding oneself under a running tap. I may also further add that this decision of having shower baths was taken by Government as a result of the experience of Messrs. Tata Iron and Steel Co. Ltd., at their colliery in Digboi. These shower baths have been in existence for a considerable time there and to our great satisfaction we found that the workers were making very good use of the shower baths and that they had no sort of objection at all. With regard to the question of soap, I can give the assurance to the House that we do intend to provide soap to every miner under certain regulations, and I think the House need have no anxiety on that account.

I hope this will satisfy Honourable Members. An Honourable Member said that this is merely a declaration and that there is no penalty. If the Honourable Member concerned were to refer to section 39, he will find that that is a general penalty clause which imposes penalties.

Prof. N. G. Ranga : There is only one little difficulty in regard to women. They do not want their hair also to be washed with mere water ; they may require oil or something.

The Honourable Dr. B. R. Ambedkar: They may be provided with caps.

Mr. Deputy President: The question is

" That the Bill further to amend the Indian Mines Act 1923, be taken into consideration." The motion was adopted. Clause 2 and 3 were added to the Bill. Clause I was added to the Bill. The Title and the Preamble were added to the Bill. The Honourable Dr. B. R. Ambedkar: Sir, I move. " That the Bill be passed.." The motion was adopted.

58

Factories (Amendment) Bill

The Honourable Dr. B. R. Ambedkar (Labour Member): Mr. President I move :

" That the Bill further to amend the Factories Act, 1934, be taken into consideration ". The Bill has altogether seven clauses; but of these seven clauses there are only two which are fundamental. They are clause 2 and clause 7 of the Bill. These two clauses deal with two separate questions.

Clause 2 deals with the question of reduction in the hours of work and clause 7 deals with the rate of payment for overtime.

Taking for consideration the first question, namely, the reduction in the hours of work. I would like to state to the House what the present position is. The present position is that under section 34 of the Factories Act, for perennial factories the maximum hours of work per week are fixed at 54, while for the non-perennial or seasonal factories the total is 60 hours a week. Clause 2 of the Bill proposes to make changes in the maximum hours of work fixed by section 34 for perennial factories the maximum is fixed at 48, while for the seasonal factories the maximum is fixed at 54. It might be desirable to mention to the House why Government has thought it necessary to bring this amending measure.

As some members of the House will remember, this question regarding the hours of work in factories was considered for the first time in a convention which was held in Washington in the year 1919. The convention fixed 40 hours as the maximum for factory labour, but on account of the special conditions prevalent in India, the conference agreed to allow India to retain the maximum of 60 hours, which was then prevalent. Consequently, the Government of India allowed the 60 hours limit to continue. The matter was then examined by the Royal Commission on Labour, and Royal Commission on Labour recommended that although the international convention did not put any obligation upon the Government of India to bring the Factory Law in consonance with the convention established in Washington, they recommended that nonetheless it was necessary that the hours of labour in India should be fixed at 54. That recommendation was accepted by the Government of India and an amending Bill was brought in the year 1934, under which the present maximum which is fixed by section 34 was brought into operation. The Government of India now think that time and circumstances have arisen whereby it is necessary that the Indian factory workers should be allowed the benefit of the maximum hours of labour that were fixed by the Washington Convention ; and that is the reason why this Bill has been brought forward.

I need not elaborate the reasons why Government regards this matter as somewhat emergent. But I might mention briefly the considerations that have moved the Government of India to bring forward this measure. I think it will be agreed that apart from other considerations, if one were to take into account only the climatic conditions that prevail in this country, it would be agreed that for that, if for no other reason, the hours of work in a country like India ought to be much less than the hours of work that are prevalent in other countries. There is also the other reason, namely, that during the war, under section 8 of the Ordinance, we had permitted the Provincial Governments to allow many exemptions from the provisions of the Factories Act which had the effect of increasing the hours of work for factory labour and the Government thinks

that the strain arising from the extension of the hours of work during the period of the war was so great that it is necessary in the interests of the health of the workers that they ought to be now granted a substantial relief. I might also mention to the House that the Government also thinks that this measure will have some salutary effect in the matter of relieving unemployment which is likely to arise as a result of retrenchment. If 48 hours and 54 hours which have been fixed by the present Bill.....

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammdan Rural) :
Make it 40.

The Honourable Dr. B. R. Ambedkar : were to be of universal operation, it is, I think, logical that more people would be employed than are employed now and that to some extent it would be a relief in our post-war difficulties. Some members are probably thinking that this might be a very radical measure. I would like to disabuse them of any such notion. The Bill does not make any radical change in the practice which exists at present and I would like to give the house some figures in order to show to what extent 48 hours in perennial factories and 54 hours in seasonal factories have become the order of the day. In the year 1939, there were altogether—1 am giving figures of perennial factories—8,644 factories. Of them 2,315 were working at the rate of 48 hours a week which gives a percentage of 27 per cent. In 1940, the total number of factories was 8,115 and those that worked on 48 hours were 2,525 which gives 28 per cent of the total. In 1941, the total was 10,261. Those that worked on 48 hours were 2,921 which was 29 per cent. In 1942, the total was 10,483. Those that worked on 48 hours was 2,687 which gives a total of 26 per cent. In 1943, the total was 11,239. Those that worked on 48 was 2,761, which gives a total of 25 percent. In 1944, that total was 11,835. Those that worked on 48 hours was 3,191 which gives a total of 27 per cent. The same facts with regard to seasonal factories are as follows. In 1939, there were 6,252 factories. Of them 2,409 worked on a basis of 54 hours which gives 39 per cent. In 1940, the total was 6,239. Of them 2,440 worked on the basis of 54 hours, which is again a total of 39. In 1941, the total was 6,265. Of them 2,439 worked on 54 hours which again is a percentage of 39. In 1942, the total was 5,925. Those that worked 54 was 2,358 which gives 40 as the percentage. In 1943, the total was 6,255. Of them 2,398 worked on a basis of 54 which gives a percentage of 40. In 1944, the total was 5,950 and of them 2,368 worked at the rate of 54. That gives 40. (An Honourable Member : " The rest is more than 54 hours ") Not beyond the maximum but above the figures now fixed in the Bill.

Shri. Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammdan Rural) What is the number of men employed ?

The Honourable Dr. B. R. Ambedkar: I am coming to that. Looking at the matter from the point of view of the hands, we unfortunately have not got very complete data but from the reports of the Fact Finding Committee which the

Government of India appointed recently, the figures collected stand as follows. The total factory hands both in seasonal and non-seasonal factories comes to 25,20,251. These are the latest figures for 1945. Those that were employed in factories working at 48 to 54 comes to 9,47,000 which is 37 per cent, of the total. It will therefore be seen that there are already a great number of factories both perennial and seasonal which have practically adopted the maximum which is now fixed in the Bill and from that point of view it cannot be said that the Bill is making any very great radical change in the situation as it exists today.

There is one other point which has been raised by the critics of the Bill to which I would like to give a reply. It has been said that this Bill will affect production, and that it will reduce production and this point has been emphasized, if I may say so, by the cotton textile mills. They have contended that from their point of view and from the point of view of the country this is an inopportune measure. There is a great deal of shortage of cloth in the country. In fact there is a cloth famine and they say that if anything was necessary in the circumstances of the day, the mills, particularly the Cotton mills, ought to have greater latitude in the matter of hours of employment, so that the deficiency in the matter of cloth production might be made up. Now, I had an examination made of the effect of the reduction in the hours of labour on production, particularly with regard to the cotton mills by the Labour Department and I have here some very interesting figures. I have a great lot of figures but I do not want to weary the House with them but I will just refer to the consumption of cotton, increase of loom, spindles and so on, so that the house may get an idea. Now, I take the figure for the year 1934, the year in which the change in the hours of work was made last time. They were brought down from 60 to 54. Now, in 1934, the position was as follows. There were 352 mills. There were 9,613,174 spindles, 194,388 looms, 384,938 hands employed and the number of cotton bales consumed was 2,703,994. Take the next year, 1935, when the provisions of the Act became effective. The number of mills had increased to 365. Spindles had increased to 9,685,175, looms had increased to 1,98,867. The number of hands increased to 4,14,884. The bales consumed increased to 3,123,418. I will take the last year available to me, that is 1938. The total number of mills had increased to 380. The number of spindles had increased to 1,020,275.

Shri. Sri Prakasa : Will the Honourable Member give them in lakhs ?

The Honourable Dr. B. R. Ambedkar: They are all given here in millions. The notation which I am using is quite familiar to the Honourable Member on the other side. He is not so ignorant as he is showing himself to be.

The number of looms is 200,286; hands employed were 437,690, the number of cotton bales consumed 3,662,648. Therefore, my submission is that so far as experience of the past is any guide to the consequences of the future, I am sure that any such fear that may be entertained is unfounded.

However, the Government of India does recognise that there is cloth famine, if not famine, there is shortage of cloth and that under the circumstances, it would be necessary to make some provision, so that should occasion arise, the mills or the other establishments which require longer hours to work may have the liberty to do so. Accordingly, there has been inserted in the Bill a clause which is clause 5 and which amends section 44. It will be seen from the wording of the clause that power is given to the Provincial Government to extend the operation of the order for six months at a time, it was proved that public interest as distinguished from emergency existed. There is already provision for suspending the provisions of the Factory Act whenever there is emergency. It was felt that the shortage of cloth may not be regarded as an emergency and consequently Provincial Governments may not be in a position to use the sections which exist at present in the Act. Consequently as a measure of greater precaution, the Government has inserted in the Bill a clause which now makes provision for another category of situation which is called public interest. So, I hope that that clause will allay such fears as the cotton textile millowners may have with regard to the effect of the Bill on the production of cloth.

Sir, the other clauses, namely, clauses 3, 4 and 6 are purely consequential. Clause 3 reduces the daily maximum from 11 to 9 for perennial factories and from 11 to 10 for seasonal factories. That is in consonance with the major change which we are making by fixing a new maxima for perennial and seasonal factories. Clauses 4 and 6 merely reduce the spread over from 13 hours to 12 and I am sure they need no comment from me. With regard to the second main provision of the Bill which as I said deals with the rate of payment for overtime, Honourable Members will see that the existing Factory Act does not have a uniform rule with regard to payment of overtime. In fact, there are two different rules, one for perennial factory and the other for seasonal factory. For the seasonal factory, if the hours of work are above 60, then he gets 1 1/2 for the non-seasonal factory, there are really two different rates. If the working hours are between 54 to 60, then the overtime is 1 1/2 times, if it is above 60, it is 1 1/2 times. As Government thinks that as this distinction or differentiation in the rates of payment of overtime is unjustifiable, that it is desirable that there ought to be one single rule for overtime, irrespective of the nature of the factory, to which the rule applies. Consequently the amendment in the Bill proposes that for all overtime, the rates should be one and a half times. I hope that the house will realise that this is a simple measure, that it is a measure long overdue and that it will give its support to this belated measure of bringing Indian legislation in accord with the standards laid down by the International convention. Sir, I move.

Factories (Amendment) Bill

The Honourable Dr. B. R. Ambedkar : Sir, I have listened to the speech which the Mover made in support of his amendment and if that speech was

the only speech in support of the amendment I certainly would have resisted the amendment, because, so far as I was able to hear, the Honourable the mover of this amendment said that the reason why he had moved his amendment was because I had not explained in my speech whether the Government of India, before putting forth this Bill, had consulted the different Partics to this measure. I certainly failed to say so but I thought that the Honourable member of this house were aware of the fact that for the last several years there has been in existence an institution called the Labour Conference which meets annually and which has a Standing Committee which meets every quarter. It consists of the representatives of labour, the representatives of employers and the representatives of the Provincial Governments. The Government of India, in so far as it is possible, for it to do so, always put forth their legislative measures before the Conference in order to ascertain the opinion of the different Partics to those measures. The same, Sir, has been the case with regard to this particular measure. I have no particular information with me now as to how many times this measure had come before the Standing Labour Committee or the Labour Conference but I have not the slightest doubt in my mind that this measure was discussed threadbare in one of the two bodies (I forget which). We had come to know that the cotton millowners had certain difficulties and certain objections and it was to meet their point of view that a particular amendment was made. Having regard to that, I do not think that there is any substance in the point made by the mover of this amendment. As I said, if that was the ground and the sole ground, I would have resisted, but, Sir, the debate as it developed has taken a very curious turn.

Prof. N. G. Ranga (Guntur-cum-Nellore : Non-Muhammdan Rural) : A very welcome turn.

The Honourable Dr. B. R. Ambedkar : It is probably a welcome turn. I have noticed from the speeches that have been made from different part of the House that there is now a regular competition in love for, labour. One section says one thing and another raises it as though it was an auction by making a higher bid and third one still further.

An Honourable Member : You can bid higher.

The Honourable Dr. B. R. Ambedkar : In all these debales I am rather unhappy that there were persons in the House who were members of the Royal Commission and who ought to have taken a personal interest in seeing that the measures which they had recommended when they were members of the Commission were put forth, if not from the Government side, at least from the non-official side, should turn my inside out and represent that I was a Tory of Tories. I do not accept that charge but I do feel that it is necessary that this Bill should go to Select Committee so that all the statements that have been made, the claims that have been put forth and the view points that have been urged should be put to the test of actual voting in order to sec whether the

sentiments that have been expressed are mere sentiments or that they are real convictions. If I did not do so, it is open to the members of the Opposition side to say that as I was a Tory and do not want to advance the Bill beyond the limits that have been fixed, that I on that account shirked accepting this motion. I therefore accept the motion. (At this stage Honourable Members rose in their seats).

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Sri R. Venkatasubba Reddiar: To the names I have already submitted in regard to the Select Committee, I want to add two more names—Sri T. A. Ramalingam Chettiar and Rai Bahadur Bhattacharyya.

The Honourable Dr. B. R. Ambedkar : I accept them.

Mr. Deputy President : The question is :

" That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. B. R. Ambedkar, Prof. N. G. Ranga, Sjt. N. V. Gadgil, Mr. Vadilal Lallubhai, Diwan Chaman Lall, Pandit Balkrishna Sharma, Mr. Muhammad Nauman, Mr. Muhammad M. Killedar, Sir Hasan Ahrawardy, Mr. S. C. Joshi, Mr. A. C. Inskip, Miss Maniben Kara, Mr. S. Guruswami, Chaudhry Sri Chand, Sri T. A. Ramalingam Chettiar, Raj Bahadur D. M. Bhattacharya, and the Mover, with instructions to report on or before the 7th March, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five." The motion was adopted.

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Rehabilitation Plans

The Honourable Dr. B. R. Ambedkar (Labour Member): Mr. President, In the course of the observations that fall from the Leader of the European Group, he said that they were not quite sure whether the resettlement and rehabilitation plans of the Government of India were proceeding apace in order to meet with the volume of demobilisation that was going on. Sir, it is for this purpose that I rise now in order to give the House the requisite information on this subject. Sir, the subject of resettlement is divided into two parts : settlement on land and settlement in industry. The question of the settlement on land is a matter which has been left for the Provincial Governments to carry on. The reason for leaving settlement on land to the Provinces is, I think, quite obvious to the House. The land, by constitutional law, is the subject matter of the Provincial Government. Obviously no matter what argument there may be in support of the position that the whole subject matter of resettlement should be under one Central Government, that argument could not dislodge the opposite argument which is founded on the fact that the land is a Provincial subject. It is, therefore, by mutual agreement that that question has been left to the Provincial Government. The only subject that the Government of India deals with is resettlement in industry. It

is on this subject that I propose to give some account to the House.

The subject of resettlement has been placed under the charge of the Directorate-General of Resettlement and Employment. The department or branch is divided into seven different categories ; (1) Employment Exchange, (2) Technical Training, (3) Vocational Training, (4) Rehabilitation of the Disabled Soldier, (5) Canvassing employment for ex-servicemen and the disabled, (6) Follow-up service, (7) Statistics of Discharges and Releases.

The functions relating to canvassing of employment for ex-servicemen and the disabled soldier as well as the next function of what is called ' follow-up ' service and that of statistics of discharges and releases, are obviously so necessary and so self-explanatory that I do not think it is necessary for me to spend any time to explain why these services have been instituted and what their purpose is. I will therefore leave these subjects for Honourable Members to study from this book which has been issued by the Government of India in the Labour Department. A copy of it is in the Library and if any Honourable Member desires to have a copy for his personal use, I shall be very happy to circulate them.

Sri. M. Ananthasayanam Ayyangar : What is the title ? The Honourable Dr. B. R. Ambedkar : It is " The Directorate-General of Resettlement and Employment ". Babu Ram Narayan Singh : Please circulate it. The Honourable Dr. B. R. Ambedkar : Copies of it were given to the Labour Advisory Committee the last time when it met. The only question on which detailed explanation is necessary is in regard to the Employment Exchanges, Technical Training, Vocational Training and Rehabilitation. I will take each item seriatim.

With regard to technical training, the position is this. The Government of India have certain technical centres for technical training. In those centres they have reserved at present 14,000 seats for demobilized personnel. The training, the maximum period of it, will be for one year and the number of trades that will be taught in those technical training centres will be about 48, the detailed list of which is given on page 55 as Appendix VII of this booklet. Then, Sir, with regard to vocational training : it deals with training in agriculture, in dairy farming, in cottage industries, in clerical and commercial occupations. The scheme is at present prepared and is sent round to the Provincial Governments for their approval. The proposal is that in these vocational training centres 20,000 seats will be reserved for training in occupations relating to agriculture and 50,000 in other occupations.

Coming to the question of Rehabilitation. This matter is shared between the War Department and the Labour Department, and the reason for such sharing will be obvious. The rehabilitation of a soldier, who has received injuries in the course of the war obviously falls into two stages. The first stage is the medical stage where questions of healing the wound and post-hospital rehabilitation are of primary importance. Obviously, the soldier being in the service of the

War Department, this matter has been left to the War Department to deal with. After he has come out of the first stage of rehabilitation, which is the medical stage, he is handed over to the Labour Department and the Labour Department then deals with him. For the purpose of dealing with the rehabilitation of a soldier, the Labour Department has two sorts of centres opened in this country. One is called the basic Centre. The accommodation provided is for 5,000 such persons. The second sort is the special training centre. There the accommodation provided is for 3,000 persons. The purpose of the Basic Centre is to test the aptitude of the man. What are his aptitude ? What is it that he is likely to be the special training centre where he is taught some occupation which is most suitable having regard to the particular sort of injury that he has received. The Labour Department plans to open altogether six centres for dealing with soldiers requiring rehabilitation. They have opened one at Jaladi near Bangalore and they propose to open another very soon in Aundh near Poona.

I will now come to the question of Employment Exchanges, which of course is the most important part of the resettlement plan. With regard to the Employment Exchange, the labour Department has come to the conclusion that it would be enough to start with 71 such Employment Exchanges. They have today on the ground set up 38 such Exchanges and before long, they hope to complete the maximum number they have decided upon.

Now, Sir, I know that there is a certain amount of criticism both from members of the House as well as from the public outside that the question of setting up of Employment Exchanges is not progressing as rapidly as it should and I should like to meet that criticism by submitting to the House certain facts which would show why the labour Department cannot rush the starting of these Employment Exchanges. The one thing which is necessary to remember is that unless and until an employment exchange is managed by a man who has had training, it is bound to fail. Let it be remembered that Employment Exchanges are a very specialised sort of work—the most specialised type of work.

An Employment Exchange would completely fail if it were placed in the hands of a man who is not trained for the job. Therefore, before starting any Employment Exchange, it is necessary to give a certain amount of training to a man who is to be in charge of the Employment Exchange. That is, therefore, one difficulty why it has not been possible to rush in the matter of starting our Employment Exchanges.

Mr. P. J. Griffiths : Where is the training done ?

The Honourable Dr. B. R. Ambedkar : I am just coming to that. We have therefore established a training centre in Delhi. It is a sort of a school in the charge of Mr. Jones, whose services have been lent to us by the Labour Department in England. He runs this training centre. In that centre training is

given in all aspects of the employment of an Employment Exchange.

Prof. N. G. Ranga : How many are you training at a time ?

The Honourable Dr. B. R. Ambedkar : I am sorry I cannot give you the exact figure. These books will give the information. I believe 35 at a time.

Prof. N. G. Ranga : How long do you take to recruit them ?

The Honourable Dr. B. R. Ambedkar : The difficulty arises from the fact that all these posts to be filled on the recommendation of the Federal Public Service Commission and the minimum time that the Federal Public Service Commission takes is somewhere about three months. I do not know whether—and I am not prepared to say that the time taken by the Federal Public Service Commission is unduly long. (Interruption by Prof. Ranga) I am merely stating the reason why it has not been possible to start them soon. The first difficulty is that it takes a pretty long time to have a man recruited through the Federal Public Service Commission. Secondly, after he has been recruited, we have to give him training. All this therefore takes time and I do not regard the time taken as wasted.

Another point which people, who criticise the Labour Department for not having set down all the Exchanges, raise is this. The Labour Department have not got all the Exchanges on the ground. This does not mean that there is no organisation on the ground which is able to deal with the subject. As might be known, there is already a Recruiting and Employment Bureau in the War I department which has been doing this work and the policy of the Government is that in course of time this organisation should cease to deal with this work and the whole work should go over to the Labour Department. The Labour Department, while it goes on increasing its Exchanges also goes on taking over the work that is at present dealt with by this recruiting organisation in the War Department. Consequently, the fact today is that there are really two different organisations working in full cooperation, one in the Labour Department and another in the War Department and in course of time we hope that all the work that is now carried on by the recruiting organisation will come to the exchanges and we shall then be able to set up a full-fledged and competent organisation to deal with this question of resettlement.

Sir, I hope the House will be satisfied that the Labour Department is doing its best in the circumstances in which it has been placed. I would just like to say one word. I think it will be appreciated that this question of resettlement came to us as matter of great surprise in view of the fact that the war closed before we expected. However, I am quite certain that whatever is possible to be done within the short space of time that is available to us is being done and I have no doubt that the soldier who is demobilised will find this organisation of great use to him in meeting the difficulties which he is confronted with in civil employment.

Welfare and Social Security of Workers

The Honourable Dr. B. R. Ambedkar (Labour Member): Mr. President, the object of this cut motion is quite clear from the notice which has been given by the Honourable Member. He proposes to discuss the failure of the Executive Council to provide for three specific matters which he has mentioned, namely, unemployment relief, adequate dearness allowance and social security benefits. The first point of comment that I would like to make with regard to this cut motion is this that if the cut motion was a general one, I have no doubt about it that it should have stood on a different footing but as the House will see the cut motion is restricted to the employees of the Central Government. And I venture to suggest that this is a very grave fault in this cut motion. I do not know whether it is the wish and the desire of the Honourable Mover of this cut motion that the Government of India should frame its policy with regard to the three matters that he has referred to in such a manner as to create a privileged class of workers in this country on no other account except that they happen to be employed by the Central Government.

In this country Government is not the only party that employs labour. There is a large amount of labour employed by private employers. As everybody in this House would agree the Government of India while framing its policy for the betterment of labour should frame it in such a manner that it should not create a privileged class on the one hand and an under privileged class on the other. The Government of India is not merely an employer of labour. It is a State. It is a government and it has not only responsibility for those who are in the immediate employment of the Government of India. It has also a responsibility for labour in general. If therefore all these complaints which have been referred to by the Honourable Mover have to be dealt with by the Government of India, it is incumbent on the Government of India, as in duty bound to frame its policy in such a manner that the policy shall benefit labour in general and not any particular class of labour.

Now Sir, my Honourable friend mentioned that the Government of India maintains various classes of allowances and salaries for different classes of its own employees. I confess that I am painfully aware of that fact but what I would like to ask is this—who is responsible for the gradation which one sees now in the scale of payment either of basic wage or of dearness allowance or of gratuity or any of the perquisites which the employees working under the Government of India are receiving today. I have no hesitation in saying that the fault entirely lies with the leaders of labour. Here we have got the Railwaymen's Federation. Any one who studies the policy of the Railwaymen's Federation, I think, will agree with me that it has always taken a parochial view of its own interests. The Federation happens to be in control of a strategic service on which the essential life of the community depends and they use that position for the purpose of coming down to the Railway Department and insisting that certain privileges shall be given to them. I may

also say that they get certain Members of the Legislature interested in their case and there develops a partisan spirit which is blind to all other interests and concentrates itself on securing certain special privileges for railway workmen alone. The railwaymen, although there is no open declaration to that effect, maintain that they must always be in a leading position with regard to any other class of employees of the Central Government. If the Postal Department is given something which happens to equate the scale of wages of the postal employees with the railway employees, the railway employees immediately become dissatisfied and they say that owing to the margin of privilege which custom, usage or their position has enabled them to secure they must have a further increase, so that their privileged position is maintained. This sort of thing is going on and the position of the Labour Department has become completely difficult. My Honourable friend maintains or rather suggested that the Labour Department was not establishing arbitration boards as it should do but what is the advantage of appointing adjudication boards for specific cases, for specific service each case being dealt with in isolation without relation to the other. The result is you have *ad-hoc* boards, *ad-hoc* reports, *ad-hoc* decisions which have to be dealt with *ad-hoc*. The result is there is always a disparity, always a divergence. Therefore the situation which we have at present is entirely the result of the faulty organisation, if I may say so, of the working classes of this country and particularly those who are employed under the Government of India. I think the House will agree that the decision which the Government of India has recently taken in the appointment of a Salaries Commission is a decision in the wise direction because the whole question of the wage structure in this country and the relation of wages paid by the Government of India to its different classes of employees and the relation of wages paid to them to the wages operating in private industry, will be examined by this Commission. I hope that we shall be able to get some recommendations from this Commission from which we shall be able to establish in this country some kind of a uniformity in the wage system, so that everyone would know the underlying principles on which the wages are based.

The other difficulty I find is that most of the employees of the Government of India, who are employed in certain services which earn revenue, have come to regard that they have a first charge on the revenues of their Department. The railway employees think that because the railways are earning a profit, it is they who must get something, more than anybody else, out of the profits that the railways have earned. If the Postal employees find that the Postal Department has made a profit, they also raise a claim on the ground that their betterment, a rise in the standard of their living, should be regarded as a first charge on the revenues of that Department. Now, Sir, so far as I am concerned, I have not the slightest doubt that I cannot accept that position and I shall always resist it. The revenues earned by the Government of

India—no matter whether they are raised by taxation or whether they are raised by any commercial undertaking—are the revenues of India. They are not the revenues of any particular class of people. They are not the revenues of any particular Department of Government of India. They are the revenues of the Government of India and the whole general public has a claim on those revenues and, as long as I am in charge of the Labour Department, I shall always resist any such claim made by any class of employees, namely, that because their Department earns any profit, they have the first charge upon it. That would lead to chaos and I am certainly not going to be a party to it at all.

Now, Sir, my friend, the Mover of the cut motion, has raised the question of unemployment. I am not going to deal with the specific questions that he has raised, but I am going to deal generally with the question of unemployment benefit and I have no doubt that that is a most fallacious argument. Unemployment must be relieved by employment and not by any relief as such. Unemployment by the payment of relief is a possibility when unemployment is on a very small scale, when it is only a tail and not the body of it. In this country, as everybody knows, practically over 50 to 60 per cent. of the people are unemployed and we have to find employment for them. If anybody were to come forward and say that the 50 or 60 per cent. of unemployment that exists in this country ought to be relieved by the payment of relief, I have not the slightest doubt in my mind that the State would come to a ruination if it undertook that kind of obligation. My friend, therefore, must agree that so far as unemployment is concerned, relief must be sought in the direction of a greater industrialisation. It is only rapid and greater industrialisation that can give us relief from unemployment, and as this House knows, the Government of India has already prepared its plan and has already announced its decision with regard to Industrialisation. I will, therefore, not dwell on that subject at any great length but I would like to tell the House what exactly the Government of India has done with regard to the advancement of general betterment and providing for social security with regard to the workers in this country.

At the Honourable House knows, the Government of India has already announced its policy with regard to labour. I have no time to read the portions which deal with that question. This information will be found in the second part of the Reconstruction Committee of Council under Head XXV, pages 55 and 56. Nobody can, therefore, say that the Government has not an objective in this matter. We have and we have laid down the objective. I will go a step further and say that it is not that the Government of India has merely laid down its objective but the Government of India has also prepared programme of action. With regard to the programme of action, the House will know that the Government of India has appointed or did appoint two years ago, a fact-finding Committee in order to take a survey of the entire condition of workers in this country. So far, we have received 34 reports from this Committee on

34 different industries besides one general report giving a bird's eye-survey of all the specific reports that have been made. Of these reports, 18 have been already printed and the rest of them are with the printers. Apart from obtaining this general survey of industrial condition of workers, the Government of India have appointed a Special Officer, Professor Adarkar, to prepare a report on the health insurance of workers in this country. As I said, we have not only an objective, but we have a programme, and we are now in possession of the facts on which any plan of social security could be based. The next step now for the Government of India is to decide how to plan for social security. As the House will know there are at present two views. One view is that we should go stage by stage, as other industrial countries will, dealing with each case of insecurity specifically and building an administrative machinery for the purpose of giving relief in respect of that case of insecurity. There is another school which is more or less influenced by the Beveridge Plan and which proposes to have an over-all policy of security covering all cases of insurance at one shot. I do not wish to approach the issue in any matter and to say as to which plan would be better. The Government of India propose to appoint a Committee or such other body as it may be advised to tell the Government of India, after examination of the reports that have been made as to the method by which they should proceed in this matter whether they should proceed stage by stage or whether they should take up such ambitious plan as the one adumbrated in the Beveridge report. This survey, which I have given which I am afraid is all too brief, I have had no time to elaborate or to develop, will convince the house that the complaint made by the Honourable Mover of this Cut Motion that the Executive council is complacent is indifferent and has taken no steps to provide for the welfare and security of the workers is entirely unfounded and I hope that the House will not accept the Cut Motion that is moved by him.

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Muslims have fared much better in Labour Department

Mr. President : Discussion will now be resumed on the cut motion of Mr. Jaffer.

The Honourable Dr. B. R. Ambedkar (Labour Member) : Mr. President, it must be within the recollection of many Members of this House that many stones have been hurled at the Labour Department.....

Nawabzada Liaquat Ali Khan (Meerut Division—Muhammadan Rural)—Bricks, not stones.....

The Honourable Dr. B. R. Ambedkar : Or bricks, during the last week which preceded this cut motion. It is only fair that I should rise in my seat to state how the position of Muslims stands in My Department. Yesterday I listened to a sort of running commentary by the two speakers who spoke on this cut motion, they gave some figures regarding the position of Muslim employees in the different Departments of the Government of India. As I

listened to that commentary, I cannot help saying that, having the facts before me, I felt considerably proud that the Muslim employees under the Labour Department had certainly fared much better than the story that was revealed by the speakers with regard to other Departments of the Government of India. That this is no vain boast but that it is supported by facts is what I propose to do during the few minutes that I propose to occupy today. I have collected, and if I may say so, I have taken great pains in collecting figures regarding the percentage of the employees of the Government of India in the Labour Department, not only in the Labour section, but in the P.W.D. and in all other attached offices, figures which show what the position of the communities is, the position of the Muslims is as well as the position of the other minorities. But I quite realise that within the time that I have it would be quite impossible for me to lay out in completeness the position of these different communities, and therefore I propose today merely to give the figures of Muslims—not only the totals but also the percentages, so that the members of the Muslim League Party may know what exactly the position is.

I begin with the communal composition of the Labour Department secretariat, and in doing so I propose to give not merely the figures as they stand now, but to give the figures on a comparative basis. I think the comparative basis is very necessary and very essential. So far as I have been able to understand the working of this rule, I think I may say that it is somewhat like shooting at a target—a target has a bulls eye, it has an inner circle and it has an outer circle. The percentages are the bulls-eye, undoubtedly. But I do not think that it would at all be possible for any member of the Government of India, no matter what his personal predilections may be, that he can arrange the services under him in such a manner that he would always be able to hit the bulls eye. What I submit is that there should be an endeavour on the part of every member to see that no community as far as possible is pushed out of what is called the centre, and the question therefore that we have to consider in passing judgement upon the doings of any particular Department is to know whether the position of any particular class of employees in that Department has deteriorated or has bettered, and from that point of view I think a comparative statement is the proper way of studying this matter.

I have collected figures in all cases for 1939 and for 1946-March. I said that I will first present the figures with regard to the Labour Department Secretariat. The gazetted posts in the year 1939 were 12 and the Muslim percentage was 8 per cent. In 1946, the total number of gazetted post is 80 and the Muslim proportion is 20 per cent. I will give the figures for the non-gazetted posts. In 1939 the total number of such posts was 75 and of that the Muslims had 23 per cent. In 1946 the total number of posts was 457, and the percentage of Muslims is 24.

Now I will come to that much-talked of C.P.W.D. I will give the figures for the

gazetted posts. In 1939 the total number of gazetted posts in the C.P.W.D. was 43., of which the Muslims had 21 per cent. In 1946 the total number of posts was 181, and notwithstanding the difficulties to which my Honourable friend the Home Member referred in the matter of observing the communal proportions during the war emergency, the Muslims had 21.1 per cent. Now, this probably may not quite give enough comfort for the Mover of this cut motion, and I therefore propose to take the time of the house further to analyse the composition of the gazetted posts in the C.P.W.D. in the year 1946, taking the different grades for finding out the percentages. In Superintending Engineers, the total posts are 14 and there is one Muslim—which gives 7 per cent. Of Executive Engineers there are 64 and the Muslim percentage is 18 per cent. Electrical Engineers are 12 and the Muslim quota is $6\frac{2}{3}$ per cent. Assistant Executive Engineers—the quota for Muslims is 14 per cent. Temporary Engineers total 72 and the Muslim percentage is 32 per cent. While discussing the C.P.W.D. one of my Honourable friends—I forget which it was, mentioned the question of contracts of the Lodi Road.....

Mr. Ahmed E. H. Jaffer (Bombay Southern Division—Muhamma-dan Rural): Myself.

The Honourable Dr. B. R. Ambedkar : I think yourself. I forget exactly the figure mentioned by the Honourable Member.

Mr. Ahmed E. H. Jaffer: 5 Crores.

The Honourable Dr. B. R. Ambedkar : His complaint was that in the contracts for the Lodi Road works, the Muslim contractors got a very small percentage. I forget the exact figure.

Mr. Ahmed E. H. Jaffer: I referred to the Lodi Road colony in particular and there are so many others in general.

The Honourable Dr. B. R. Ambedkar : The Honourable Member made his speech towards the end of the day and it was impossible for me to get the necessary figures but the figures are these.

Dr. Sir Zia Uddin Ahmed (United Provinces Southern Division—Muhammadan Rural) : There was no necessity for you to intervene at this stage. You could have waited for some time longer.

The Honourable Dr. B. R. Ambedkar : I am very much obliged to my Honourable friend for this advice but I thought it desirable to let the Muslim League have sufficient time for their other cut motions. That is the reason why I intervened. Otherwise it was really a general motion. I had no desire to intervene at all and there was no necessity to. It is only to allay the fears which some Members have about the Labour Department that I go up.

Mr. Ahmcd E. H. Jaffer : Very kind of you.

The Honourable Dr. B. R. Ambedkar : The position with regard to the Lodi Road works was this. According to the information supplied to me by the Chief Engineer, the Muslims have got altogether contracts worth 10.5 lakhs of rupees, which is a figure much higher than the figure mentioned by my

Honourable Friend.

Mr. Ahmcd E. H. Jaffer : Out of ?

The Honourable Dr. B. R. Ambedkar : Out of three crores. My Honourable friend will also remember and take the fact into consideration that on these works the Executive Engineer was a Muslim ?

Mr. Ahmed E. H. Jaffer : What about the official pressure put on him not to give it to Muslims ?

The Honourable Dr. B. R. Ambedkar : My friend is making all sorts of allegations. I hope he has got sufficient evidence to back them up. Nobody has drawn my attention to them. If my friend will give me the facts, I will certainly make inquiries.

Mr. Ahmed E. H. Jaffer : I will give it to you on the floor of the House.

The Honourable Dr. B. R. Ambedkar : The fact is that there is a Muslim Executive Engineer in charge of these works. The second fact is that an officer of the Central P.W.D. who is in charge of works, whether he is a Muslim or whether he is a Hindu, no matter what community he belongs to, he is bound by the Central P.W.D. Code. The Central P.W.D. Code requires that the contracts shall be given to a man whose tender is the lowest. I have made inquiries overnight and I have been informed by the Chief Engineer that there was no Muhammadan whose contract was the lowest who did not receive the contract.

Mr. Ahmed E. H. Jaffer : On a point of order.....

The Honourable Dr. B. R. Ambedkar : I am not giving way. I have very little time.

Mr. President : Let the Honourable member go on. The Honourable Dr. B. R. Ambedkar : These rules of the Central P.W.D. that the contract shall be given to the lowest bidder are subject to scrutiny from two different directions. One is the Auditor General and the second is the Public Accounts Committee. Both of them would require the departmental officer who broke this rule to give the necessary explanation as why he did so. Syed Ghulam Bhik Nairang : That will be a post-mortem. The Honourable Dr. B. R. Ambedkar : It is a question whether the rules are observed or not.

Dr. Sir Zia Uddin Ahmad : The rules can be changed ?

The Honourable Dr. B. R. Ambedkar : The Honourable Member knows more about it. He did a great deal of work in the Aligarh University. He ought to know something about the P.W.D. and doing the work of this kind. I cannot go into it now.

Let me take the Estate Office. In the Estate Office there are altogether 8 gazetted posts. Of them one is vacant. There the position is that there are six Hindus, one Scheduled Caste. There was one Muslim who recently was sent to his parent province. With regard to the non-gazetted posts, the total posts are 235. Of them the Muslims have 18.2 per cent.

Let me come to what are called the attached offices and I can only give the

figures in a collective form—not item by item, which would take me very long. Here again the position in 1939 was this. There were altogether 64 posts. The Muslims had only 1.5 per cent. In 1946 the total posts were 155 and the Muslim percentage has risen from 1.5 per cent to 11.5 per cent. Let me take the non-gazetted posts in the attached offices. In 1936 the total number of posts were 2,238. The Muslims had 34 per cent. In 1946 the total number of non-gazetted posts had risen to 3,929 and the Muslim quota is 30 per cent.

Now, Sir, I will take the geological Survey. As everybody in the House knows, the Geological Survey so far has been only a skeleton. It is during the war under the new projects of the Government of India relating to post-war development that we have taken up the work of the expansion of the Geological Survey. We recently made a beginning by the appointment of 13 permanent posts of Assistant Geologists. Now, I would like to tell my Honourable friend the real position so far as these appointments are concerned. We were naturally bound to fill these posts through the Federal Public Service Commission, which recommended altogether 40 names in order of merit. We had only to select 13. Out of the 13 there was only one Muslim whom we could select.

Nawabzada Liaquat Ali Khan : Out of 40 names.

The Honourable Dr. B. R. Ambedkar : Yes. The names were given in order of merit and we had only 13 posts. Obviously we had to stop with the 13. If we had stopped with the 13, there was only one Muslim in that list of 13. As I said, these posts are technical posts and therefore we had to be very certain about the qualification. If the Labour Department had stuck to their original proposition that they shall only take men recommended by the Federal Public Service Commission on a purely meritorious basis, they would have had only one Muslim Candidate but the Labour Department knowing that this would not be satisfactory from the point of view of the Muslims went down the list and picked 3 candidates who were far below 13 in order to make up their quota of 4. Another thing we have done and which I know some people might regard as very improper is this. We found that in the office of the Director General of Geological Survey there were no Muslim officers. What did we do. We selected two Muslim students from the University represented by my Honourable friend Sir Zia Uddin Ahmed.....

Dr. Sir Zia Uddin Ahmad : The credit does not go to you.

The Honourable Dr. B. R. Ambedkar : They were not geologists by their training. They had qualified themselves only in geography but notwithstanding this we selected two. We trained them so that they may be subsequently, recruited to the office of the Geological Survey.

Now, Sir, I come to the School of Mines. There were some questions in the last Assembly on that. May I know, Sir, how much more time I have. Mr. President : The Honourable Member can have 20 minutes. I am prepared to give him more time if necessary. He can go on till 1/15.

Shri Sri Prakasa (Benares and Gorakhpur Divisions—Non-Muhammadan Rural) : You can take 25 per cent of the time.

The Honourable Dr. B. R. Ambedkar : I do not wish to deal with this subject in that half-philanthropic and half-flippant manner that my friend has done.

Shri Sri Prakasa : I was not flippant at all.

The Honourable Dr. B. R. Ambedkar : Coming to the School of Mines, the position is this. We have from 1937 restricted admissions to the School of Mines to 24, originally, there were about 50. It was discovered that there was not sufficient accommodation for such a large number of students and, therefore, it was restricted to 24. Now, the selection for the admission to the college is primarily provincial and not communal. Sixteen seats are allotted to the provinces and two to the Indian States. I had examined the figures up to 1937 and I did not discover any single year in which there were not at least 2 Muslim students, who had sought admission to the School of Mines. I, therefore, did not think that any particular reservation was necessary to safeguard the interests of the Muslim students joining the School of Mines. However, when the matter was pressed by some Members of the Muslim League here. Members of the last Legislative Assembly, I did pass orders that. two seats at least should be reserved for the Muslims in the Indian School of Mines.

Sir Mohammad Yamin Khan : Out of how many ?

The Honourable Dr. B. R. Ambedkar : Out of 24. Now, Sir, even here I would like to tell the House what steps the Labour Department have taken in order to see that the Muslims are able to realise the full quota which has been reserved for them, and I shall give the figures for this year. This year we have altogether admitted 48 students on the recommendation of the Governing Body. Out of these 48 students there is only one Muslim who had satisfied the qualifying test.

Mr. Muhammad Nauman (Patna and Chota Nagpur--*cum* -Orissa, Muhammadan) : That. is what I referred to you.

The Honourable Dr. B. R. Ambedkar : But, Sir, in order to make good the reservation that was made, it was ordered that the fifty-ninth student, who was a Muslim, may be taken, over-riding the claims of practically 11 other boys.

Now, Sir, I will refer briefly to the various training schemes which have been sponsored by the Labour Department—some overseas—and to show that even here the Labour Department has not only been correct but has been very considerate. I will first refer to the training scheme sponsored by the Labour Department for training of Assistant Geologists in the Melbourne University of Australia, as a part of the re-organisation of the Geological Survey. This took place in 1946. The total number of men that were selected was 9. Out of them, 5 were Hindus, 3 Muslims and 1 of other minorities. It will

be seen that in this selection the Muslim proportion has been 33 1/3 per cent.

The second scheme sponsored by the Labour Department was to train men in commercial and administrative side of electricity. Electricity is going to play one of the greatest part in the reconstruction of India's economic and social life. Obviously, there must be people in India who are trained in the commercial and administrative side of it and we decided to train some men. Obviously, for a training of this sort, you could not take up raw boys from the university. You ought to have some men who have had some experience in this matter. We, therefore, decided to ask the Provincial Governments whether they would suggest names of some of their employees in their Electricity Department for being sent abroad. The selection, therefore, was not a selection made by the Labour Department or in the Government of India. The selection was entirely within the purview and charge of the Provincial Governments. The total number of men selected was 10. Out of them one was a Muslim. He was selected by the Hyderabad State. The other provinces did not suggest the name of any Muslim. I do not know why. Probably because there were not any Muslims in their Electricity Department.

Khan Abdul Ghani Khan (North-West Frontier Province-General) : In the Frontier Province there are about 90 per cent, Muslims in the Electricity Department.

The Honourable Dr. B. R. Ambedkar: I am sorry, but your Province did not recommend any Muslim name. You had better address a question in the Assembly of the Frontier province.

I am coming now to three other schemes which were sponsored by the Labour Department for training abroad. One was the Bevin training scheme. The total number of boys who were sent was 787. Out of them, Muslims were 154, or 19 per cent. Then, we have in the Government of India a scheme for training Labour Officers for welfare purposes. These officers are not selected by the Labour Department, they are selected by the different Departments concerned. And here the position is this. Altogether 23 have, so far, been sent. Out of these 23, 18 are Muslims, which is a proportion of 79 per cent. Then, Sir, we have another scheme which is a scheme for giving higher technical training to the employees of private employers. The Government of India circularised private employers that in view of the necessity of improving technical efficiency of Indians if they desire to send any of their employees for training abroad, the Government of India in the Labour Department would do their best to secure opportunities for training in foreign countries. In this connection, so far, 6 men have been sent. Unfortunately, there was no Muslim amongst them, but that certainly is not the fault of the Labour Department, because they were not responsible for the training.

Now, Sir, another point which I would refer to is the recruitment of what are called project Officers and Utilisation Officers and 8 of what are called Project Officers. These appointments, again, had to be filled through the

Federal Public Service Commission. Unfortunately, there was no Muslim among the 9 posts that were filled. In this connection, I would like to draw the attention of the Mover of the cut motion to the correspondence which the Labour Department had with the Federal Public Services Commission. We queried when we got the selection and found that there was not a single Muslim. I asked my Department to address a query to the Federal Public Service Commission as to why there was no Muslim in the names that they had suggested. The reply of the Federal Public Service Commission was this. It is interesting, I think, because it throws a different light on the subject. The Federal Public Service Commission said that, in response to their advertisement, altogether 240 applications were received. Out of that number, only 8 were Muslims, and out of these 8 Muslims, they invited 3 for interview. Out of three, they found not one suitable for the post. Well, Sir, this is in brief a record of the Labour Department in the matter of communal representation. I claim, Sir, that during the period that I have occupied this post, it can be fairly said that the position of Muslims far from having deteriorated has considerably advanced. Sir, I do not claim anything more for the Department in which I hold charge. I should like to conclude just by making two observations. I have no idea how many Honourable Members of the Muslim League Party know what I played in the issue of this communal Ratio Resolution. I think if any Member of the Muslim League Party was present when the Round Table Conference was held in London, he would very well realise that among those who fought for securing these privileges to the minority communities, I claim that I have played a considerable part. It cannot therefore be said that I am out of sympathy with the demand of the Muslims or the demand of any other minority community. It is for this that I have fought, it is for this I have been fighting, and it is for this that I will fight.

The second proposition that I should like to make, if my Honourable Colleague, the Home Member would permit me to say so, is that the action which he promised the House that he will take in order to see that the Government of India will not be merely content with rearguard action on the various Departments making default in this matter but that he will take some substantial steps so that as and when appointments are made, proper check is applied at the time, the credit must go to me because it is I who wrote to him a letter that this state of affairs ought to be rectified. I do not want to say anything more.

Mr. Ahmed E. II. Jaffer : On a point of information, Sir, I want to know whether in the figures which he just now quoted, are the appointments in the resettlement also included ?

The Honourable Dr. B. R. Ambedkar : Yes, it is a consolidated section of the Labour Secretariat.

Mr. Ahmed E. H. Jaffer: Including resettlement.

The Honourable Dr. B. R. Ambedkar : I have so many figures. I must say

they are so interesting that if my Honourable friend wants, I am quite prepared to pass it on to him for his further study.

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The Indian Finance Bill

The Honourable Dr. B. R. Ambedkar (Labour Member): Mr. President, I must at the outset thank you for the opportunity that you have given me to intervene in the discussion on the Finance Bill. Sir, I say so because the points on which I propose to dwell are not points which refer to the Labour Department of which I am in charge. In fact, so far as the discussions on the Finance Bill have gone, I am glad to say that no serious comment has been made against that Department. But I rise because I feel that my Honourable friend, Pandit Govind Malaviya, yesterday in speaking on the Finance Bill made certain observations with regard to the project of a college for the scheduled castes. Sir, ordinarily that matter I should have left in the hands of the representative of the Education Department to deal with because that project was examined by them and the Finance Department sanctioned it. All the part that I have played was to initiate the measure. But, Sir, the reason why I have thought it necessary not to leave the defence of that project in the hands of the representative of the Education Department is because I find that in presenting the case against that project I think my Honourable friend sought to give it a political colour. It is because of that I have risen today to reply to the comments that he made.

My Honourable friend started by saying that he was amazed at the project, and when I read his speech I found that the amazement which he felt was based upon his understanding that this was nothing but the introduction of a sectarian spirit in the educational field. Sir, there is a proverb, and a very well known proverb, that a man who lives in glass houses should not throw stones. I wonder whether my Honourable friend, Pandit Malaviya, recognises this fact. I am far more than amazed—I am astonished—that Mr. Malaviya should have risen up in his seat to preach nationalising to me or to any Member of this House. It is not a new thing to anybody that, so far as his personal habits are concerned. I think it is true to say that he will not even take water not only from an ordinary Hindu but I know he will not take water even from a Brahmin of another caste.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural) : He does equal justice ! Shri Sri Prakasa : Even Brahmins can be stupid !

The Honourable Dr. B. R. Ambedkar : His ideals, if I may say so, are the ideals of a rat who believes that in order to keep his personal purity he must live in a hole by himself without any contact with any human being. And I should have thought that a man who believes in that kind of a thing should certainly think twice before talking against sectarianism or preaching nationhood to the people of this country. I should have thought that he ought to have known that

he was or he is a great deal concerned with an institution which we all know as the Benares Hindu University. If it is not a sectarian institution, I would like to know what is a sectarian institution. Sir, I know and I can say that this University is not even a Hindu university ; it is a University which is managed in the interest of that particular community. I would like to ask my Honourable friend whether it is not a fact that on the staff of the Benares Hindu University there are hardly any non-Brahmins.

An Honourable Member : There are.

The Honourable Dr. B. R. Ambedkar : I would like to ask him whether there is not a standing resolution of the Benares Hindu University Court passed in 1916 whereby a non-Brahmin, no matter how well he is educated in Hindu Dharma (in Hindu Law) is not entitled to function as a Professor of Hindu Religion. I would like to ask him whether he has forgotten that only a few months ago a Kayashtha girl had to go on fast because she was refused admission in the Benares Hindu University in the Faculty of Theology. If that is not sectarianism, I would like to ask what it is.

As I was reading the proceedings of the debate yesterday, I found my Honourable friend, Mr. Ayyangar, uttering an exclamation, which is recorded by the Official Reporter, on a separate college for the Scheduled Castes. I wonder whether he is aware of what has recently happened in that town of Salem. He probably is forgetful of it.

Sri M. Ananthasayanam Ayyangar : I do not know.

The Honourable Dr. B. R. Ambedkar: Or he is so much preoccupied with politics that he did not know what his own community members are doing. I like him to peruse the papers of the ' Hindu ' of Madras, not of some past year but of the 12th of this month. He will find that Salem Brahmans met in a solemn conclave for the purpose of establishing a Brahman Sangh, for the purpose of protecting the interests of Brahmans, for the purpose of starting a college for Brahmans, for the purpose of starting industries for Brahmans. And who was the President of that Conference ? The great man Sachivotama Sir C. P. Ramaswami Ayer.

Sri M. Ananthasayanam Ayyangar : Your erstwhile colleague.

The Honourable Dr. B. R. Ambedkar: I do not know. When everybody in this country while talking of nationalism is practising sectarianism.....

Sri M. Ananthasayanam Ayyangar : I am sorry for both.

The Honourable Dr. B. R. Ambedkar : for Members to come here and to tell a struggling community like that of the Scheduled Castes, who for the first time in their life have become conscious of their disabilities and are trying to found educational institutions in which they will be able to get higher education that they are acting in a sectarian spirit to my judgement is nothing short of imprudence. I would like to tell this House that it is complete misnomer to say that this is a Scheduled Caste college. It is a college which like any other college is open to every community. There is no bar to any

body.

Pandit Govind Malaviya (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : What is stated in the Budget ?

The Honourable Dr. B. R. Ambedkar: The Budget was before you for full one month, and you ought to have put a short notice question to ask for full details before you got up to oppose it. Now, as I said this is an institution which is open to every community. The college is not only open to all but the staff selected is also cosmopolitan. There are Hindus, there are Brahmins, there are non-Brahmins, there are Parsis, there are Christians, there are Muslims on the staff. And I like to tell the House that when the affiliation application came before the University of Bombay they had not the slightest hesitation to granting affiliation. In fact it was admitted that there was never such a project placed before the University of Bombay during all these years so well thought out. And if I may say so, this is the first instance in the whole history of the Bombay University where permission has been given to start a full-fledged college at the start. This is because, the organisation, the staff and the arrangements have been so good. The College therefore is in no sense a Scheduled Caste College. The only thing which the College will do so far as the Scheduled Castes are concerned is to give them preferential treatment in the matter of admissions and freeships and reservation in the hostel. I like to tell the House why the establishment of this college became necessary. Honourable Members are probably not aware that the Bombay Province at present is suffering from a terrible congestion of the student population. My Honourable friend, sitting opposite, Mr. Gadgil, will know that during last year nineteen new colleges were allowed to be opened by the Bombay University. That shows how difficult it is for boys to get admission. The Scheduled Caste boys suffered the most from this congestion because the Scheduled Caste boys after passing their matriculation were not able to get their admission in the different colleges. I therefore represented the matter to the Government of India that there should be an institution whose primary function should be to give preferential treatment to these boys. There is nothing else in this project which may be called sectarian or which may be called communal.

Now, Sir, there was another matter which my Honourable friend introduced, and I am at a loss to understand why he introduced it. He introduced politics and he said that so far as the elections were concerned, I was a wash out. I do not know what he wanted to convey. But I believe what he wanted to do was to give a hint that I should not have been listed to by the Government of India, or some such thing, which I do not know.

Pandit Govind Malaviya : Don't you ?

The Honourable Dr. B. R. Ambedkar : Well, Sir, from what has happened in the elections it may be said that I am now a withered plant. But I like to tell my Honourable friends opposite that I am not dead at the roots. Not at all. My

Honourable friend talked about the results of the election. He said that the Scheduled Caste seats were won by the Congress. Yes, they were. But what I like to ask my Honourable friend is, does he care to examine the ways and means by which this victory was obtained by the Congress ?

Prof. N. G. Ranga : We are ready !

The Honourable Dr. B. R. Ambedkar: I would like to tell my friend of the ways and means that were adopted.

Sri M. Ananthasayanam Ayyangar : The usual accusation !

The Honourable Dr. B. R. Ambedkar: It is not the usual accusation. It is a matter of proof which can be put to the test.

Prof. N. G. Ranga : Do not tread on doubtful ground !

The Honourable Dr. B. R. Ambedkar: My Honourable friend ought to know that in many places the Untouchable voters have not been allowed to go even to the polls. I am referring to a case in the Satara District, which ought to be familiar to many Members of this House because in that district there was in existence what is called a parallel government. The Scheduled Caste voters from 361 villages were taken to the village Katcheri by the Hindu villagers. They were asked whether they were prepared to vote for the Congress candidate. When they refused, they were asked to sit in the Katcheri and a watch and ward was kept around them. They were not allowed to move. I can give many cases.

Pandit Govind Malaviya : Yes ? please do !

The Honourable Dr. B. R. Ambedkar : Even the candidates of the Scheduled Caste opposed to the Congress were assaulted. Take a nearer case like that of Agra which has happened only recently. Fifty houses of the Untouchables were burnt on the day of election. Some twenty houses were looted in the absence of the voters who had been to the polls. In Cawnpore seven persons were murdered.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Who looted ?

The Honourable Dr. B. R. Ambedkar : Hindus. Those are the ways and means by which these elections have been won. (Interruptions). I would like to tell my Honourable friend that the test whether the Congress has won these seats, or whether the Scheduled Castes Federation, which I represent, has won these seats, is to be decided not by the final elections. It would be stupid to do so. In a final election where the Untouchables sometimes form a microscopic minority of 5 per cent as against a majority of 95 per cent. Hindus, it would be idiotic for any man to think that the final election was any test as to who represented whom. The real test is the test of the primary election. For the primary election is an election through a separate electorate of the Scheduled Castes. What has happened in the primary elections. Let me give my friends opposite some idea of the results of the primary elections. In the Punjab there were three constituencies in which a primary election took place. In Bombay there were also three constituencies in which primary

elections were held.

Shri Mohan Lal Saksena : Out of how many ?

The Honourable Dr. B. R. Ambedkar: Let me finish. Mr. President : Let him proceed.

The Honourable Dr. B. R. Ambedkar : In the Central Provinces there were four. In the Madras Presidency ten, in the United Provinces two. (Interruption). If my Honourable friend wants to know the fact, he ought to know that a primary election is not compulsory. Unless five people stand there cannot be a primary election and no Scheduled Caste wants a primary election because it involves a lot of expense and we have no black market money to finance it (Interruptions). In all there have been 22 primary elections. They were all contested by the Congress. I want to tell the House that out of the 22 primary elections, 19 have been won by the Scheduled Castes Federation.

Diwan Chaman Lall : How many in the Punjab ?

The Honourable Dr. B. R. Ambedkar : Wait a minute. In the Bombay Presidency—1 cannot give the whole lot of figures because my time is short.....

Pandit Govind Malaviya : It may go against you !

The Honourable Dr. B. R. Ambedkar : In the Bombay City there were two Constituencies in which the primary election was fought. One was the Byculla constituency. The Scheduled Castes Federation candidate got 11,334 votes and the Congress candidate got 2,096 votes. In the Suburban Constituency of Bombay City the Scheduled Castes Federation candidate got 12,899 votes and the Congress candidates got only 2,088. In the Central Provinces—1 again take two constituencies for illustration.....

Sri M. Ananthasayanam Ayyangar: The black market did not prevail.

The Honourable Dr. B. R. Ambedkar : In the Nagpur constituency the Scheduled Castes Federation got 1,933 votes and the Congress candidate got 270. In Bhandara District the Federation candidate got 3,187 and the Congress candidate, including others who were independent, got altogether 976. In the Agra constituency in the United Provinces the Scheduled Castes Federation candidate got 2,248 while the Congress and others put together got only 840. In the Punjab, Ludhiana—Ferozepur Constituency, I am taking one as an illustration—the Scheduled Castes Federation got 1,900 votes and the Congress got only 500.

Diwan Chaman Lall : There was no Scheduled Caste candidate in the Punjab.

The Honourable Dr. B. R. Ambedkar : Will my friend let me go on. I know more about these matters than I think he does.

Diwan Chaman Lall : My Honourable friend knows there was not one single candidate.

The Honourable Dr. B. R. Ambedkar: The Scheduled Castes Federation

who.....

Diwan Chaman Lall : It is a tissue of lies.

The Honourable Dr. B. R. Ambedkar : My Honourable friend will withdraw it. Sir, I seek the protection of the Chair.

Diwan Chaman Lall : I challenge my friend to deny the fact that there was not a single candidate of his Federation put up in the Punjab.

Mr. President : Order, order. It is no use introducing heat in the debate when the Honourable Member is giving the facts. The point was raised and the reply was invited and whatever he has to say must be heard patiently. I am not concerned with the question as to whether what he said is a fact or not but no Honourable Member of the House is entitled to or can say that what the other Honourable Member was saying was " a tissue of lies."

Diwan Chaman Lall : I withdraw it. Sir, and substitute for it " a tissue of terminological inexactitudes ."

The Honourable Dr. B. R. Ambedkar : I will give one constituency from Madras, viz. Amalapuram. The Federation candidate got 10,540 votes and the Congress candidate 2,683. That is the result of the primary election and I say that if anybody wants to apply an honest test, that test ought to be the test of the Honourable friends opposite that if what they have done in this election is of any value, it has to my mind substantiated and proved the case which I have been fighting for that the electoral system is a humbug and that the Scheduled Castes must have separate electorates.

My Honourable friend. Pandit Malaviya, tried to make out another point. He said that the Hindu community has been taking interest in the Scheduled Castes and that they could subscribe a great deal of money for the moral and material advancement of the Scheduled Castes. Sir, I do not know.....

Pandit Govind Malaviya : On a point of order, Sir : May I know from you that if an Honourable Member of this House goes on misrepresenting and misquoting and stating utterly wrong facts about any other Member, who has already spoken and who is not likely to get a chance to reply to or expose those misstatements and terminological inexactitudes, may I know from you what is the way open to the other member to meet that situation ?

Mr. President : The question is hypothetical and I do not think I need take the trouble of replying to it. But statement of facts is one thing and version is another and the Honourable Member need not confound versions with facts.

The Honourable Dr. B. R. Ambedkar : Sir, I was dealing with the point which my Honourable friend made in the course of his speech that the Hindu community was taking a great deal of interest in the welfare and the material and moral advancement of the Scheduled Castes. All that I would like to say is that if one were to judge by what happens within the four corner of this House, I think it would be very difficult for any honest man to subscribe to the statement that my Honourable friend has made.

I have been, it is true, a member of this House for a very short time but I

have been a very regular reader of the proceedings of this House and there is nothing about this House which I have not read, which is worth reading. And, Sir, having regard to the past, I think it is correct to say that it is very seldom that any member of the Opposition has ever asked any question of any member of the Government sitting here with regard to the many atrocities, tyrannies and oppression that have been practised upon the Scheduled Castes in every village to day. I have not seen it in the proceedings. I have never seen any Honourable Member moving a resolution.....

Sri M. Ananthasayanam Ayyangar : You would say that it is a Provincial subject.

The Honourable Dr. B. R. Ambedkar : that certain things might be done for the uplift of the community. There was one occasion which I remember, in which Honourable Members opposite made a bold bid in order to abolish untouchability. I believe, it was in the year 1932 or 1934, I forget exactly which..... An Honourable Member : 1933.

The Honourable Dr. B. R. Ambedkar: when a Bill was brought in for temple entry. And what a hullabaloo was made when the Viceroy refused to give his sanction. Men went on fasts and threatened to commit suicide if permission was not given to introduce the Bill. And when permission was given what happened ? What happened was that these gentlemen throw away the Bill. They disowned it. They left Mr. Ranga Iyer with the baby in his hand. He abused them roundly for having betrayed him. There were only two occasions I remember when the question.....

An Honourable Member : You have not read the debates.

The Honourable Dr. B. R. Ambedkar: I have read every thing about what happened in this House. I find only two occasions when this House discussed the question of the Scheduled Castes. One was in the year 1916 when Mr. Maneckji Dadabhoy, now the President of the other House, moved a resolution asking the Government to appoint a committee to investigate into the grievances of the Scheduled Castes and if my Honourable friend opposite who started this debate were to brouse into the proceedings of that debate, he will find that it was his father who turned out to be the most vehement opponent of that resolution. The other occasion was in 1927, that was when the late Lord Birkenhead happened to refer to the Scheduled Castes as a minority to be protected under the Constitution. My friends opposite are very fond of me only when I try to make a political issue of my existence. If I ask for separate electorates, if I ask for reservation in the services, if I ask for an educational grant, then they know that I

The Honourable Dr. B. R. Ambedkar: and all social and political rights are denied to me because they say that I am a Hindu. If fraternity is to involve this cost, then I say that I am their cousin and not their brother.

The other thing that I would like to say, is this and I would like to say it very positively. I want to tell my Hindu friends that I shall not live on their charity. I

do not want their charity. I am a citizen of this country. I am entitled to claim from the Government Treasury whatever rights and benefit every other community is claiming for itself. I do not want charity ; charity, the object of which is to enslave and demoralise me and my community. The Scheduled Castes want to stand on their rights and I take this opportunity to tell the House that if their claims are met with opposition, they will not hesitate to shed their blood in order to get their rights.

* * *

63

Strike by the Workers of the Government of India Press, Calcutta

Mr. President : I have received a notice from Sree Satyapriya banerjee of his intention to move for the adjournment of the business of the Legislative Assembly for the purpose of discussing a definite matter of urgent public importance, namely :

" Strike by the workers of the Government of India Press, Calcutta, on account of the failure of the Government to redress their grievances."

I find that the Honourable Member had put in a question on the subject some two or three days back and wanted to have it answered as a short notice question, but the honourable Member for Labour did not accept the short notice question. At that time there was no strike actually going on. The present notice alleges a strike. There, it was a question of impending strike. Is there any strike at all ?

The Honourable Dr. B. R. Ambedkar (Labour Member) : I have no information with regard to this matter.

Sree Satyapriya Banerjee (Chittagoing and Rajshahi Divisions : Non-Muhammadan Rural) : I have definite information that there is a strike going on and yesterday's Free Press Journal also contained that news.

Mr. President : The source of the information is the Free Press Journal ?

Sree Satyapriya Banerjee : The Leader of the Opposition has also got a telegram.

Mr. President : Is the Honourable Member in a position to state the nature of the strike ? Is the whole Press on strike ?

Sree Satyapriya Banerjee: Yes, Sir, about 1200 workers are involved.

The Honourable Dr. B. R. Ambedkar: The position is this. A notice of strike was given on the 13th of March by the press workers of the Calcutta Press. Similar notices of strike were given by presses belonging to the Government of India located at various other places. The Calcutta Press workers gave a list of 13 demands and the Government has taken into consideration all of them and has made the following concessions to the press workers—compensation leave granted for attendance on gazetted

holidays on which the press is closed, promotion of piece workers to classes above efficiency bar accelerated, increased rates of dearness allowance to have retrospective effect from 1st July 1944 instead of from 1st January 1945 ; half the dearness allowance to count as pay for calculation of pension ; inferior servants to draw pension up to a limit of half average pay ; the full period of strike will be treated as leave on average pay and debited against leave account due to uncertain conditions ; an officer on special duty appointed to report on anomalies existing in the pay and conditions of service of the Press workers ; hours of work have been reduced from 48 to 44 for day shifts and from 44 to 38 for night shifts ; piece-workers have been granted 23 days holiday with pay, same as salaried workers.

With regard to other demands which relate, for instance, to revision of scales of pay and increase in subsidy rates, Government has informed all workers in all the presses belonging to Government that this matter must remain pending until the report made by the Salaries Commission, and Government therefore is not in a position at present to make any announcement with regard to these demands.

I may tell the House that so far as the strike in the Delhi Press is concerned, these concessions have been accepted by the workers and they have gone back to work. I do not see any reason why the same attitude should not be taken by the press workers in the Calcutta Press. I understood just now from office that one of the demands which they are pressing immediately is that further reduction should be made from 44 hours to 40 hours. I am unable to say anything definitely immediately, but that is a matter which I am prepared to consider. I do not think that any useful purpose will be served by discussing this matter on an adjournment motion.

Sree Satyapriya Banerjee : Sir, it may be within the knowledge of the Honourable Member that the Regional Commissioner of his Department recommended 42 hours and he turned down that proposal and insisted on 44 hours. Moreover, Sir, the workers of the Bengal Government Press work only 40 hours a week.

Mr. President : That is cross-examination on the merits. I am at present wanting to know how, in view of what has fallen from the Honourable Labour Member, the matter is of sufficient urgent and public importance.

Sree Satyapriya Banerjee : Sir, so many workers are involved and the lives of such a large number of workers and their dependents are at stake, being faced with starvation ; Sir and if that is not a matter of sufficient urgent and public importance, I do not know what else can be.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural) : Sir, may I also make one submission. If it is possible for the Department to send any special officer to go and explain their own concessions to these workers and reason with them, it may be possible for them to prevent the continuance of this strike. After all, 1300 workers going on strike is a very serious matter

even from the point of view of Government getting all their work stopped there.

The Honourable Dr. B. R. Ambedkar: I understand there is a Regional Labour Commissioner stationed in Calcutta who has been instructed by the Labour Department to get into touch with the workers and see what can be done.

Seth Govind Das (Central Provinces Hindi Divisions: Non-Muhammadan) : The Honourable Member said that notices have been received about strikes in various presses. Is there any strike or danger of a strike anywhere else besides Calcutta ?

Mr. President : I do not think that is relevant to the present issue. In view of what the Labour Member said, I do not think the matter is of such a type that I should give my consent to the adjournment motion being moved.

64

Factories (Amendment) Bill

Mr. President : The House will now proceed to the consideration of the Factories Bill.

The Honourable Dr. B. R. Ambedkar : I propose to deal with that point. I have been asked by my Honourable colleague to speak on that point and I am quite competent to speak because every Member of this Government can speak on behalf of the Government as a whole.

Diwan Chaman Lall (West Punjab: Non-Muhammadan) : Sir, I have to say something on this question unless the Honourable Member is agreeable to my speaking afterwards.

Mr. President : Even if he is agreeable I do not think I can permit it under the Rules after the Honourable Member has replied to the debate.

The Honourable Dr. B. R. Ambedkar (Labour Member) : So much has been said already that it is not necessary to say more.

Mr. President, Sir. The debate that has proceeded so far has really left very little for me to say because what has been said by the one side against the Bill has, if I may say so, been effectively replied by the other side, and, therefore, certainly at this stage there is no great necessity for me to repeat what has been said already. If I rise at all it is to deal with the criticism that has been made by my Honourable friend, Mr. Vadilal Lallubhai. I have listened to his speech and I must say that I have been quite unable to understand what complaint he has to make with regard to this Bill. I am quite aware and everybody else is that today there is a threat of cloth famine and that whatever we do with regard to the amendment of the Factories Act affecting the provisions relating to hours of work, we should be cautious to see that the situation with regard to cloth is not aggravated. My reply to the criticism of my friend is this that we have not only taken into consideration the situation regarding cloth famine, but we have taken into consideration the

situation that might arise with regard to the shortage of other articles of consumption, and the Government of India has not only introduced an amendment which would give relief to the cotton industry but is so widely worded that it would also give relief to many other industries which are engaged in producing consumers goods. I do not quite understand why he is not satisfied with so general a provision which not only gives him relief but also gives relief to many other industries. I am still unable to understand the significance of his comment.

He made two other points to which I think he is entitled to a reply from me. The one comment that he made was—I have got the text of his speech before me—that this exemption ought to be given by the Government of India itself in this very Act and not to be left to the discretionary authority of the Provincial Government. My answer to this criticism is twofold : In the first place, as my Honourable friend knows, granting exemption is what in law is regarded as an exercise of executive authority under the constitution which is now in operation ; although labour is placed in concurrent list, that fact merely gives the Government of India the authority to make the law. It does not give the Government of India authority to put that law into execution. All execution must remain in the hands of the Provincial Government and if, therefore, we have not granted exemption straight-away in this Act it is because it is beyond the powers of the Central Legislature to do so. The second difficulty which I find in meeting the demand that he has made is this : It is impossible for the Government of India to single out any particular industry such as the cotton textile industry to be mentioned in the Act itself for exemption without at the same time giving a list of other industries which might require similar exemption. It is impossible for anybody in the Labour Department to anticipate the needs of other industries and to make specific provisions in that behalf. He expressed the fear that Provincial Governments will not grant the exemption for which they have been empowered very readily, and if I understood him correctly he said that labour in Provinces will create difficulties in the matter of Provincial Governments granting such exemptions. I do not share the fear because I believe that the Provincial Governments while they would undoubtedly listen to such reasons as labour may have to put forward against granting exemptions will no doubt bear in mind the exigencies of public needs and public interests and do what may be needful in the circumstances. Therefore so far as his first point is concerned. I do not think: that I can meet it because the law will not permit me to do so, and, secondly, I do not see why the Provincial Governments should not be trusted to do what is needful in the interest of the public in general.

The other question which he raised was whether the Industries and Civil Supplies Department was prepared to take responsibility for this measure. I do not think he should have raised this question because if he had only taken into consideration the way in which the Government of India operates, he

would have known that no measure can go before this House unless it has had previously the consent of the Executive Council in which the Member in charge of Industries and Civil Supplies has every right to make his say, but I can say positively that the labour Department had paid the greatest consideration to what was urged by the Department of Industries and Civil Supplies in this matter and it is at their instance that clause 5 was introduced in this Bill. They were apprehensive that while the general provisions regarding the restriction of hours of labour were essential and necessary and could not be postponed, yet the circumstances in which this country was placed with regard to certain articles should also be borne in mind, and it was at their express instance that this clause was introduced. I hope my Honourable friend will be satisfied that the Industries and Civil Supplies Department has in no way been rushed by this Bill and that this measure has their fullest support. Sir, I move.

Mr. President : The question is :

"That the Bill further to amend the Factories Act, 1934, as reported by the Select Committee, be taken into consideration." The motion was adopted.

Mr. President : I shall take clause 2 first and clause 1 at the end. There is an amendment to clause 2 by Messrs. Vadilal Lallubhai and Ramalingam Chettiar.

Mr. Vadilal Lallubhai : I have got to make some observation. Dr. Ambedkar says that the law does not provide for exemptions but as the amendment has been drafted it is possible that it will come under the law. I would like to know whether the amendment of clause 2 as drafted by me does come under the Law.

Mr. President : I am not clear as to what the Honourable Member is driving at.

Mr. Vadilal Lallubhai : The Honourable Member said that the law did not provide for exemption. If he reads my amendment to clause 2 he will see that there is no legal bar. I would like to know whether it is because that there is a legal bar that he wants to oppose my amendment or there are other reasons.

Mr. President : I believe the Honourable Member has clarified the position sufficiently in his speech. I do not think there can be any doubt on the question. He said that the legal bar was one argument. There was a further argument also that, in his opinion, whatever is necessary will be done by the Government. Am I right ?

The Honourable Dr. B. R. Ambedkar: Yes, Sir.

Mr. President : Amendment moved :

" That in Clause 4 of the Bill, for the words ' ten and a half hours or where the factory is seasonal one, eleven and a half ', the word ' twelve ' be substituted ".

The Honourable Dr. B. R. Ambedkar: Sir, I am afraid I am opposed to this amendment. There are two objections which I see. One objection is a general

one. The Honourable Mover of this amendment seems to hold the opinion that if employers in any particular industry have devised a particular plan of employing their labour in their factories, then the law ought to be so framed that it would suit the practice that is prevalent. That is a position which I am not prepared to accept. Many employers may devise many means that may be primarily in the interests of the employers and I think it would be wrong on the part of the State to accept the obligation that in whatever legislation they may propose, the legislation should be made to suit the practice, and that the law should not alter the practice if it is found that the practice is bad. That is my first argument why I am unable to accept this amendment.

The second argument which I have against this amendment arises from a direct consideration of the matter. If I have understood my Honourable friend correctly, the sort of way in which he employs his labour could, I think, be described in a simple manner in some such fashion : he has as a matter of fact two corps of labour under him, which for purposes of explanation may be called ' A ' corps and ' B ' corps ! and the way he would like to employ them would be somewhat in this fashion : ' A ' corps would start work at 8 a.m. and work till 4 O' clock in the afternoon. At 4 p.m. ' B ' corps would be discharged and ' A ' corps would again come in and work till 8 p.m. At 8 p.m. ' A ' corps will be discharged and ' B ' corps will be brought in for work and would work till 12 midnight. That, if I understood him correctly, would be the method by which he would work his labour.....

Sri T. A. Ramalingam Chettiar: Quite right.

The Honourable Dr. B. R. Ambedkar : Now, it seems to me that this arrangement is fundamentally opposed to the principle of spreadover. What is the principle of spreadover ? It is this, that as far as possible no worker should be required to stay on the factory premises for any period longer than is necessary for the full employment of the maximum hours prescribed by law. In this Bill we are providing that the maximum hours per day should be 9. If the amendment was accepted, the worker would have to be kept on the premises, for three hours more, which I submit is not in consonance with the general principle of spreadover. A factory, if I may say so, is not a garden and certainly today has not got all the amenities which a factory ought to have ; and it is very desirable that an employee should be allowed to quit the factory as soon as he possibly can get back to his home, breathe free air, and enjoy such amenities as he can and make the best use of the leisure that the law gives him. For these reasons, I think this amendment is not a good amendment and I am therefore not prepared to accept it.

The Honourable Dr. B. R. Ambedkar : I do not think I need say anything at this stage except to express my gratitude to the House and to the Members of the Select Committee who have so greatly co-operated with me in carrying

this measure through. With regard to the many suggestions which have been made by many speakers who have spoken on this motion, all that I need say is that whichever Government comes into operation, it will undoubtedly have to bear those suggestions in mind. As my Honourable friend, Diwan Chaman Lall said, we are not living in the same time when the Factory Commission reported. Time has advanced. The world has advanced and we have to show that we too, like other modern countries have a regard for the moral standards on which our industrial relations are to be based, and I have no doubt about it that what they have said will be borne in mind and that their suggestions will be given effect to. Sir, I thank the House for the courtesy they have shown me.

Mr. President : The question is :

" That the Bill as amended be passed." The motion was adopted.

65

Mica Mines Labour Welfare Fund Bill

The Honourable Dr. B. R. Ambedkar (Labour Member) : Sir, I move :

" That the Bill to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry be taken into consideration."

The important provision of the Bill is contained in clause 3, where it is proposed that a levy should be made upon the export of mica in order to constitute a fund for providing for the welfare of the labour employed in the mica mining industry. The nature of the welfare activities which this fund will undertake are detailed in clause 2 of the Bill. It is not necessary for me to go over these clauses and read them to the House. Before I go further I would like to explain to the House why the Government of India have thought it necessary to institute a fund of the sort mentioned in clause 3 of the Bill and I do not think I could do better than read a few extracts from the report of a Committee on labour conditions in mica mining and mica manufacturing industry. The report is made by Prof. Adarkar who was a member of the Fact Finding Committee appointed by the Tripartite Labour Conference. With your permission, Sir, I propose to read a few extracts from this report. On page 27 of this report Prof. Adarkar says :

" We did not see urinal or latrine accommodation provided in any mine. Reference to this breach of the Mines Act, has already been made above. One just wonders what the workers do while working 500 feet below they are called upon to answer calls of nature. Lack of arrangements for good drinking water is a crying evil of the mica mining industry. The doctors told us that diseases like dyspepsia, intestinal trouble, etc., were caused by the presence of harmful **minerals in the** water supplied to the workers. As I said earlier, some of the bigger firms carry water in lorries to mines but generally women are employed to fetch water from dirty pools five to six miles away. This water is carried and stored in filthy earthen pitchers or drums. The supply of even

such water is inadequate. No water is usually made available for washing purposes. The problem is a very serious one and deserves immediate attention." Speaking of housing the report says :

" No adjectives can properly describe the ' houses ' in which workers are housed. The more temporary amongst them look like tents of leaves held in position by a strong bamboo or wooden pillar. Houses proper are of two types ; we may describe them separately:—

(i) Built entirely of bamboo and grass.—We saw a house built by mine owner for workers which was typical and the roofing was of green leaves. The general appearance was that of a cattle shed. There was hardly any necessity for doors and windows as it was airy from every side. This shed housed one family worker with his wife and two children along with 10 other workers. There was no privacy for the family. The choolhas were separate. Grass had been spread on the floor and workers slept upon that at night. No rent was however charged for the accommodation provided. It may be noted here that the other 8 Or 10 occupants had been put into the cottage by the employer after the family worker had occupied. As the worker was not paying any rents, he could not possibly grumble.

(ii) Better type of houses.—Their number is very small and generally they are meant for durbans, Khalasis or carpenters. There are single-room tenements built in lines and are rent free. Their walls are built either of brushwood or of kuchcha bricks and roofs are built of wooden beams. They are closed rooms with doors but ventilation is very poor. It must be emphasised again that these quarters are not meant for ordinary workers but are reserved for the superior skilled staff. It is important to note here that no latrines or urinal accommodation is provided even for those who live in these quarters with the result that they go out into the open to attend to calls of nature. As has been pointed out earlier, this causes them to develop diseases like ankylostomiasis and anaemia. Workers do not like to stay in these quarters, despite the efforts of the employers to make them do so. Workers like to walk 4 to 6 miles each way and prefer to ignore such exhortations. Moreover, their own huts are definitely better built than the quarters provided by the employers." I will read another passage which deals with occupational and other diseases which are prevalent in mica mines. The report says :

" Diseases which mica workers suffer from may be classified as (a) those that are directly attributable to mining operations and working conditions and (b) those that are caused by the configuration and natural vegetation of the mining area. In this connection, we could collect some information in the Bihar area, and the following analysis is based mainly on the information.

(a) The following diseases may be considered under the first category:—

(i) Silicosis.—This is a disease of the lungs and is attributed to dry machine-drilling of quartz rock. Machine drills have octagonal ends with a regular bore running right through the drill. The drill is rotated by machine and quartz, dust

produced in the drilling process escapes with great force through the bore and strikes the driller right on his bisc. Within a few seconds thick clouds of quartz dust envelope the driller and he inhales that dust continuously. The tiny quartz pieces enter the body and injure the lungs. The first symptom of silicosis is bronchitis and this gradually develops into silicosis proper. The incidence of the disease is fairly high but due to the excessive turnover of labour it is not detected early. What saves most of these workers from early death is their seasonal migration to agriculture. If the driller works continually even for one whole year he cannot escape catching the disease and within five years or so he may die. One employer stated that he had lost 16 of his best drillers within the past five years. It seems that the only possible way of saving the drillers from this disease which proves fatal in nearly all cases is to prohibit dry machine drilling by an order under the Indian Mines Act. Of their own accord so far only the Chrestien Mining company have introduced wet drilling in some of their mines. But no other firm is planning even to follow suit at any rate during the course of the present war. It may be noted here, however, that all employers declared themselves in favour of statutory prohibition of dry drilling."

Then a description is given of the prevalence of dyspepsia, rheumatism, bronchitis, malaria. I need not go through the whole list of them. But I would like to draw the attention of the House to the following paragraph in the Report :—

" Welfare Activities are conspicuous by their total absence. Canteens, creches, entertainments and washing or any other facilities are things entirely unheard of in the mica mining area. The bigger firms like the Chrestien Mining Company, the Chatturam Horilram Company, and the Indian Mica supply Company, have made arrangements for medical aid ". Then they give details below :—

" Medical aid, wherever it is provided, is free. No arrangements have been made, however, for child or adult education." Now, Sir, I can go on for a length of time quoting passages from this Report in order to show that the conditions of work in mica mines have really become intolerable and that the time has arrived for Government to intervene in this matter and to do something for the workers in the mica mines.

The next question, Sir, is the best method of dealing with this subject. So far as that question is concerned it seems to me that there are really two ways of dealing with the subject. One way is to impose the liability upon the employer and to prescribe certain measures of welfare and to leave it to the employer to carry them into effect and reserve to the Government the power to inspect and to see that the obligation imposed upon the employer is carried out by him. The second method is for Government to take charge of the welfare measures themselves and to make the employer bear the cost of it. The first method, to my mind, is an imperfect method, and for two reasons. Firstly,

different employers have different capacities to bear the cost of welfare measures. That being so, it is not possible for small employers to keep up the standard which may be prescribed by the act. Secondly, it is hardly possible for the Government to engage such a large body of inspectors so that they could constantly go round, keep a vigil and see that the standards are maintained. Government, therefore, has come to the conclusion that the better method would be for Government, in matters of this sort, to take the responsibility on their own shoulders and to compel the employer to pay the cost of these welfare measures. Sir, it is this principle on which this Bill relating to the welfare of workers in mica industries is based. If I may say so, so far as the Government of India is concerned, this is by no means a new principle which they have adopted. As the House knows, during the war the Government of India issued an Ordinance for the Welfare activities of the population engaged in coal mining. It was done by Ordinance. But the principles embodied in the present measure are exactly the same as the principles embodied in that ordinance. It is, therefore, unnecessary for me to dilate upon the necessity or the advisability of the principle on which this measure has been based.

Sir, there is one other point to which I would like to make some reference. As Honourable Members will see, under the Bill it is proposed to constitute two Committees to advise the authorities who will be administering this fund as to how this money should be spent. One Advisory committee will be for the Province of Madras and another will be for the Province of Bihar. Some Members might feel that the Government of India has shown no reason why, for instance, another area which is also a mica producing area has been omitted from this consideration, namely Rajputana. I would like to explain to the House the reason why we have not thought it necessary to constitute a third Committee for Rajputana. Rajputana occupies a very small place, for the moment, in this mica industry and I like to give the House some figures on that point. Take the mica mines in India. I have got the figures for 1941. In Bihar the total number of mines in 1941 were 623. Of them those that worked throughout the year were 297. In Madras the total was 108 and those that worked throughout the year were 47; while in Rajputana, although the total was 62, those that worked throughout the year were only 8. Taking the question of the number of workers, I have got figures for 1943. The figures are as follows. In Bihar the total number of workers working in mica mines was 81,431 ; in Madras it was 18,379 ; in Rajputana it was only 15,000. It is, therefore, thought that it would be better not to constitute a separate Committee for Rajputana. The reason is obvious. All these Advisory Committees involve a great deal of administrative cost, and I do not want that the money in the Fund should be spent on mere matters of administration more than we can help it. We, therefore, propose that it would be better to economize by not having one Committee and to leave the matter to be

provided for in some other way. Sir, I do not know whether there is any other clause in the bill which requires any explanation or any specific comment. As the House will see, the matter is very urgent and I am very keen to see that this Bill is put on the statute book.

I find there is an amendment in the name of Honourable Members, the object of which is to send this bill to a Select Committee. I am not willing or rather I am opposed to referring this Bill to a Select Committee, because I do not think that this Bill can be said to be either controversial or complicated as to require the labours of a Select Committee to be spent upon it. However, if the members of the House are keen on having the matter referred to a Select Committee, if they agree that the Select Committee shall be authorised or directed to return the Bill before the Session ends, so that I can move the second reading of the Bill, I would not object to such an amendment. Sir, I move. Mr. President : Motion moved :

" That the Bill to constitute, a fund for the financing of activities to promote, the welfare of labour employed in the mica mining industry be taken into consideration."

Mr. Ahrned E. H. Jaffer (Bombay Southern Division : Muhamma-dan Rural) : Sir, I move :

"That the Bill be referred to a Select Committee consisting of the Honourable Sir Ashoka Roy, the Honourable Dr. B. R. Ambedkar, Miss Maniben Kara, Mr. S. C. Joshi, Babu Ram Narayan Singh, Sri R. Venkatasubba Reddiar, Mr. Gauri Shankar Saran Singh, Sri A. Karunakara Menon, Prof. N. G. Ranga, Mr. Geoffery W. Tyson, Mr. Madandhari Singh, Dr. Sir Zia Uddin Ahmad, Khan Bahadur Hafix M. Ghazanfarulla, Mr. Muhammad Nauman and the mover with instructions to report by the 15th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. President : Will 15th be all right ?

The Honourable Dr. B. R. Ambedkar: No, it will be too late.

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The Honourable Dr. B. R. Ambedkar : I did not say that I would have out Rajputana. I shall be constituting a separate committee.

Diwan Chainan Lall : I did not hear my Honourable friend say that he would constitute a separate committee. I llcard him say, " Some other means ". I am glad he says " some separate committee " now. As far as this measure is concerned, Rajputana is left out.

The Honourable Dr. B. R. Ambedkar : There welfare measures will be carried out with the aid of this fund.

Diwan Chaman Lall : Will the money from Madras and Bihar be taken to help the Rajpulana workers ?

The Honourable Dr. B. R. Ambedkar : We might employ some other agency, some other organisation in order to carry out the activities connected

with welfare workers. The Fund will pay.

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The Honourable Dr. B. R. Ambedkar : I do not propose to take very long in replying to the criticisms which have been made against this Bill. I wish to state very briefly my opinion with regard to the points that have been raised to state very briefly my opinion with regard to the points that have been raised by three speakers. I shall first deal with the points raised by my friend Mr. Tyson. I had made no reference in the speech that I made in support of my motion with regard to the surplus stock of mica or the additional cesses that were proposed to be levied and the report of Mr. Justice Reuben. Sir, I deliberately did not touch upon these points in my speech, because I knew that these points would be raised by my friend Mr. Tyson and that I would have to reply to them. If I did not do so it was largely because I wanted to save the line of the House.

Now, Sir, the position is this, that although the Labour Department and the Government of India have decided to proceed with measures of social welfare on the basis of the report made by Prof. Adarkar, the decision was taken by the Labour Department long before the report of Prof. Adarkar was made. I am glad to say that the decision taken by the Labour Department has been fully supported by Mr. Justice Rcube in his report on the Mica industry.

In fact he himself has suggested that there should be a general levy on the mica produced or exported and that about 5/12 of the receipts under the general cess should be set apart for labour welfare in the mica mines. Therefore in proceeding with this measure we are in no sense departing from the report made by Mr. Rcube. All that we have done is that instead of having a single cess as suggested by Mr. Rcube to be distributed and allocated for different purposes we have thought it necessary to have a separate fund for welfare and another fund for certain administrative measures that may be necessary for the industry as such. The reason for making this decision is obviously due to the fact that the welfare fund will have to be administered by a separate agency, while the fund for other purposes will have to be administered by a separate agency. There my Honourable friend Mr. Tyson will see that the decision of the Government of India is in full accord with the report of Mr. Rcube.

With regard to the additional cess we have, as my Honourable friend will see, fixed the cess in the initial stage at a very low figure. The figure suggested in the Rcube report is 6 per cent. ad valorem.....

Mr. Geoffrey W. Tyson : Labour or General ?

The Honourable Dr. B. R. Ambedkar : General. This is a matter which will have to be examined at a later stage as to exactly what should be the pitch of the cess in order that the cess may produce sufficient revenue which would be adequate both for welfare and other purposes.

Diwan Chaman Lall: How much does my Honourable friend expect ?

The Honourable Dr. B. R. Ambedkar : Wait, I will come to that a little later. With regard to the question of surplus stock I would like to inform the House that the Government of India has been in negotiation with His Majesty's Government for a long time over the question of the disposal of surplus stocks of mica which have been held by His Majesty's Government as well as by the United States. I am glad to say that we have come to an agreement whereby no sort of harm will be done to the mica industry by the disposal of the surplus stock. The negotiation has reached the final stage and in a few days time a press note will be issued informing the industry and the general public of the arrangement which has been arrived at between His Majesty's Government and the Government of India. I might say that this arrangement has the fullest support of the mica industry itself.

With regard to this measure I would like also to inform the House that this measure has been undertaken with the fullest consent of the industry itself. This question was first broached by me at a conference which was held at Kodarma on 29th April 1944, at which I presided and the representatives of the mica industry were also present, and I was glad to find that the industry as a whole responded to my suggestion for having a welfare fund. The matter was again taken up on 9th November 1945, at a conference held at Dhanbad under the chairmanship of the Coal Mines Welfare Commissioner. There again, the producers of mica accepted the suggestion. Lastly, a third conference was held on 19th December, 1945, also at Dhanbad under the chairmanship of the Secretary of the Labour Department, where a final agreement was reached between the Government and the Mica mineowners. I would also like to state that our proposal to levy a cess on the industry does not seem to have discouraged the industries from further exploiting the field of mica production and I find that during the last few months, there have been to my knowledge at any rate, three big flatations of new companies which have entered into the field of mica. I find, for instance, a new flatation under the name of Micantic and Mica Products Co., Ltd., from Madras with an authorised capital of Rs. 5 lakhs. Another is called the Saraswati Mica Industries Limited, from Calcutta with an authorised capital of Rs. 5 lakhs and I know as a matter of fact that the Christian Mining Industries Ltd., have also applied for capital issues for mica mining and for the establishment of a micanite factory. These circumstances would show that the cess has not been viewed by the industries in any tragic manner and I think that they believe that it would be possible for the industry to bear the burden of this welfare cess.

Coming to the points made by my friend Diwan Chaman Lall, I must apologise for not supplying him with a copy of the report which he had asked for at some early stage. I must say that I altogether forgot about it. But I do not think that he has in any way lost in dealing with the matter in the way in which he has dealt with it. All that probably he would have done if he had the

report is that he would have made a speech of double the length of what he did.

With regard to the question that he put to me as to how much revenue the cess will produce, I hesitate to give the house any definite figure and the reason is quite obvious. The production of mica has not been at a very steady figure. For instance, I have figures here from 1934 to 1944. In 1934, the value of mica produced was Rs. 6,30,525, while in 1944, it was 2,73,01,458 and there have been various figures for the different years in the intervening period. It is no use, therefore, for me to give the House any particular figure. We must allow sometime for the industry to stabilise itself in the post-war period. But taking the figure for 1944, I calculate that the cess would be somewhere in the neighbourhood of Rs. five lakhs. I quite appreciate that that is not a very large sum. Personally, if I may say so, what I am fighting for is the establishment of a principle. If later on it was found that the *fund* was not sufficient, it would be still open for any member of the Government who would be in charge of this to come forward and increase the cess and thereby augment the amount and carry on the measures of social welfare which otherwise would not be possible.

With regard to the Mica Purchase Mission, the point to which my friend made reference, is a matter not relevant to the Bill which we are considering and I do not therefore propose to enter into the questions arising out of the Mica Purchase Mission's activities. But I can tell my friend that so far as I know anything about it, the industrialists engaged in the production of mica in this country have not only not had any harm done to them but I am quite satisfied that they have made more than ordinary profits.

My friend, Diwan Chaman Lal, spent a great length of his speech in discussing the lax administration of the Mines Act. He referred to the employment of children and of other matters relating also to employment of women. As I said, I am quite aware of this fact, and the Labour Department has on the anvil legislation to remove all the defects which have been reported upon by Mr. Adarkar in the course of his Report dealing with the workers in mica mines. And if there was time available to Government, it would have been possible even in this session, to bring forth a Bill to remove those evils. But I have no doubt that that will be done without delay.

Coming to the points raised by my friend, Mr. Ram Narayan Singh, I know he made a great point, that this was a very delayed measure.

He said that the mica industry was there, the evils have been there, Government has been here and nothing was done. If I may tell him, he only forgot to mention one thing, that he also was there, and for a long number of years, If he had taken the earliest opportunity to move in this matter to energize and organise the conscience of the Government and of the industrialists, I have no doubt that the delay of which he has complained would never have occurred. But I hope he will agree that it is better late than

never.

With regard to the question of administration of the Fund, I think the point that he made was that the administration should be left to the Provincial Governments. I am sorry to say that I cannot accept that principle. This legislation is a Central legislation. It is a legislation for which the Central Government is responsible. The Fund is raised by the Central law. The Fund is raised for a particular and specific purpose. Having regard to these circumstances, it seems to me unjustifiable on the part of the Government of India to allot the whole of this sum to the Provincial Governments, where they might be merged in the general revenues of the Province and spent, I suppose, in accordance with the wishes—1 do not say whims of the Provincial Government. I am of opinion, since the responsibility for the Fund is a Central responsibility, since the Fund is for a specific purpose, and since it would be a sort of a trust which the Government of India would be administering, it is in every way desirable—not only desirable but necessary—that the Central Government from beginning to end should keep its hand on the administration of this Fund. While this is so, I should like to tell my Honourable friend that he has probably not studied the way in which the Coal Mines Labour Welfare Fund is administered. I would therefore like to tell him some details about it because the administration of the Coal Mines Welfare Fund would be the model—indeed not only the model but the pattern—on which the administration of this Fund will be carried on. In the matter of the Coal Mines Welfare Fund, the administration is vested in a Commissioner who is generally a provincial officer, an officer lent by the Provincial Government. If I may tell him, the person who is now administering the Coal Mines Welfare Fund is an officer lent by the Bihar Government, and he should rest assured that even in the matter of the administration of the Mica Fund we shall be applying to the Bihar Government to lend us an officer of the Bihar Government. As I said, and as the Bill provides, the constitution of the Committee will be such that the representatives of the mica industry from Bihar and also from Madras, would be local people knowing local conditions. Further, according to the constitution of the Coal Mines Welfare Fund, the orders provide by rules that the Provincial Governments shall send their representatives to be members of the Advisory Committee. The same procedure will be followed with regard to the Mica Advisory Committee. We shall provide that by rules. These Committees meet every three months, certain agenda is prepared and the advice of the Committee is sought. There are men drawn from producers, owners, workers and from Provincial Governments as well. The annual budget is also placed before the Advisory Committee. Their advice is obtained. It is after their advice is obtained that the Funds begin to operate on the various purposes for which money has been provided.

With this I believe my friend, Mr. Ram Narayan Singh, will see that there is

not going to be any autocracy from the centre. Here is a great deal of decentralisation, a great deal of co-operation in the administration of this Fund between the producers, the workers and the Provincial Government. Sir, I do not think that there is any other point which has been raised in the course of the speeches on this Bill to which I have not given my reply, and I do not think, I need say anything more than this. Mr. President : The question is :

" That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. B. R. Ambedkar, Miss Maniben Kara, Mr. S. C. Joshi, Babu Ram Narayan Singh, Sri R. Venkatasubba Reddiar, Mr. Gauri Shankar Saran Singh, Sri A. Karunakara Menon, Prof. N. G. Ranga, Mr. Geoffrey W. Tyson, Mr. Madandhari Singh, Dr. Sir Ziauddin Ahmad, Khan Bahadur Hafizz M. Ghazanfarulla, Mr. Muhammad Nauman and the mover, with instructions to report by the 12th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five." The motion was adopted.

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Industrial Employment (Standing Orders) Bill

The Honourable Dr. B. R. Ambedkar (Labour Member):

Mr. President, Sir, I move :

" That the Bill to require employers in industrial establishments formally to define conditions of employment under them be taken into consideration.

Sir, this is a very simple measure and, so far as I can see, is a non-controversial measure. The object of the Bill is to have the terms and conditions should be certified by a competent officer appointed for that purpose, and that it should form a sort of register of what the terms and conditions of employment are in any particular establishment. The Bill seeks to make a difference between mere registration of the terms and conditions of employment and adjudication upon the fairness and reasonableness of those terms and conditions of employment. This Bill does not touch the question of adjudication of the fairness and reasonableness of the terms of employment. Every employer is free under this Bill to fix whatever terms and conditions of employment he may like to fix. All that the Bill requires is this, that he should, after framing the terms and conditions of employment applicable to workmen employed in his establishment submit them to an officer employed by the Government and that the officer will take a note of those terms and conditions, enter them in his register, and this register will be the basis of determining what actually the terms and conditions were. In other words, if I may put it differently, the Bill is merely enacting what might be called a rule of evidence, so that if this Bill passes, if there is any dispute as to what the terms and conditions were with regard to any particular establishment as

between the employer and the workman, the evidence that the law will admit will be the documentary evidence, a certified copy furnished to the employer by the certifying officer, and that oral evidence will not be permitted. If the House will refer to clause 12 of this Bill they will see this point made abundantly clear. It says :

" No oral evidence having the effect of adding to or otherwise varying or contradicting standing orders as finally certified under this Act shall be admitted in any Court."

That is really the purport of this Bill. As I said, there is no new principle involved in it. Such an Act exists in the province of Bombay already and all that the Bill proposes to do is to extend the provisions of that Act to other provinces in India.

The Bill has several clauses which are mere matters of procedure, defining how the certifying officer shall proceed in the matter when he receives the text of the terms and conditions from the employer. He is required to give notice to the workman employed in that establishment and to hear them before giving any certificate. The employer, if he finds that the terms and conditions he has proposed are perfectly in accord with the provisions of this Act and the certifying officer does not issue to him a certificate, he has the right also to go to an appellate court and get the decision of the certifying officer reversed.

I do not think it necessary for me to take the time of the House, especially when we are so short of it, to dilate upon the different clauses in this Bill. But I think it necessary for me to state why the Government thinks that this Bill is not only necessary but is also very urgent. This Bill is very integrally related to another measure which Government has in contemplation and that relates to the Health Insurance, which the Government proposes to bring forth at the next Session. The Health Bill gives an employee certain rights with regard to benefits ; it levies certain obligations upon them to make contributions to the Health Insurance Fund. These rights and obligations are very integrally related to, for instance, the wages which the employee would be drawing in different establishments. Now, disputes may arise as to the contribution that an employee is bound to pay to the fund. Disputes may arise as to what benefit an employee is entitled to draw under the insurance fund. In order that such disputes may be settled finally. Government thinks it necessary that the terms and conditions of employees should be certified and laid down in a document, so that when the dispute arises we will have before us unimpeachable evidence as to the wages and other conditions by which the employee is bound. In fact it is felt that it would be very difficult to work the health insurance fund unless and until we have placed beyond cavil, beyond doubt and beyond dispute certain questions relating to the employment of the workers in the industrial establishments.

With these observations I move that this Bill be taken into consideration.

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The Honourable Dr. B. R. Ambedkar : Mr. President, I did not think that my motion that the Bill be passed would invoke the sort of debate that we have heard just now. I cannot help saying that I was particularly amazed at the speech of my Honourable friend Dr. Sir Zia Uddin Ahmad and I have a sort of fear that his speech was due to the fact that he probably had eaten something which was indigestible for his lunch, because as we know Dr. Zia Uddin Ahmad has been a most persistent advocate of labour legislation and more than once he has on the floor of the House urged upon me the necessity of bringing in labour legislation of far greater magnitude and without any delay. Today he has made a speech of just the opposite tenor. But I am glad to see that his observations on that point have been so completely answered by my friend Mr. Siddiqi that I think I would not be justified in taking the House over that matter again.

There is only one point which he made to which I would like to give a reply. He said that he had not sufficient notice about this Bill. The position with regard to that matter stands as follows. The agenda on which this Bill was placed was circulated to the Honourable Members on Friday, the 6th instant. On that agenda this Bill was placed as the first item of Legislative Business and not only it was placed as part of the Legislative Business but there was added a footnote in which it was definitely stated that this item would be taken on Friday, the 12th April, 1946, as the first item of Legislative Business. I do not know whether six days notice can be regarded as insufficient.

So far as the Bill itself is concerned I had hoped that I should be able to get it through within 15 minutes but we have now practically spent nearly one hour and five minutes in dealing with this Bill and I cannot therefore see how anybody could say that I am trying to rush this measure through the House.

With regard to the point made by my friend, Mr. Inskipt, that in this matter they had not had sufficient notice to consult their clients, I cannot help saying that he has entirely misunderstood the previous history, or forgotten the previous history of this Bill. This Bill was placed before the Standing Labour Committee in the year 1944. The Committee was completely unanimous and the Committee suggested that the Bill was so necessary and that it was so non-contentious that Government might as well pass the Bill in the form of an ordinance, which we did not do. Thereafter, the matter was again discussed in the Indian Labour Conference.

Another point which he made was that the Bill, as it is now presented to the House, was not in the same form in which it was placed before the Labour Conference. I would like to tell him that it is entirely a mistaken view. Government has made no changes whatsoever in the form of the Bill as it was placed before the Tripartite Conference.

My friend, Professor Ranga, raised a question regarding the applicability of this Bill to smaller factories. My friend, Mr. Gwilt, also emphasized it and said that I should give an explanation. Anyone who read sub-clause (3) of clause I

would not certainly be labouring under any such misapprehension that the Bill is intended only to industrial establishments wherein one hundred or more workmen are employed, because that clause itself states that Government will have the power and the authority to extend this " to such class or classes of other industrial establishments as the appropriate Government may from time to time, by notification in the Official Gazette, specify in this behalf." Government, therefore, has retained the power in its own hands to make it applicable to industrial establishments which may have less than hundred people. Therefore, any fear which is entertained on the ground that this is intended primarily to apply to industrial establishments wherein one hundred or more persons are employed and that consequently other establishments employing lesser number of people would be excluded, is a fear which I submit is completely unfounded.

Diwan Chaman Lall : May I intervene for a minute ? On page 2, in clause 2(c) (ii), under definition of industrial establishment it is stated that " it means a factory as defined in clause (i) of section 2 of the Factories Act ". I take it that factory as defined there is covered by the Factories Act. But a factory of twenty people will not be covered by the definition of " industrial establishment " given here.

The Honourable Dr. B. R. Ambedkar: But Government may apply it even to a factory having twenty persons.

Diwan Chaman Lall : It may ; but it does not mean that it should.

The Honourable Dr. B. R. Ambedkar : We are starting with those having one hundred.

Mr. Leslie Gwilt : Why not start with less ?

The Honourable Dr. B. R. Ambedkar : There is nothing to prevent Government from starting with even a lesser number.

Diwan Chaman Lall : If the Indian Factories Act can apply to an establishment where there are only twenty people employed, why should not this also apply similarly to an industrial establishment under this Bill ?

The Honourable Dr. B. R. Ambedkar : As it is, there is nothing under the Act which will not enable Government to impose the obligation upon even factories employing twenty persons. We thought fit to make a beginning. Further, the administrative machinery may probably have to be very vast if it were to apply to every factory. The number of certifying officers and appellate authorities may be too many and no Provincial Government may be in a position to provide that administrative machinery. It is necessary to make a beginning on a modest scale, reserving to ourselves the power to extend it to all those where such extension may be necessary.

I do not think there is any other point which was made in the course of the speeches on this motion which calls for explanation. Sir, I move:

Mr. President : The question is :

" That the Bill, as amended, be passed." The motion was adopted.

Mica Mines Labour Welfare Fund Bill

The Honourable Dr. B. R. Ambedkar (Labour Member) : Sir, I move:

" That the Bill to constitute a fund for the financing of activities to promote the welfare of Labour employed in the Mica Mining Industry, as reported by the Select Committee be taken into consideration."

The Bill has emerged practically as it was from the Select Committee with changes which are so inconsequential that I think it would be wrong on my part to take the time of the House to refer to it. I will therefore do no more than move the motion.

Mr. Deputy President : The question is :

" That the Bill to constitute a fund for the financing of activities to promote the welfare of Labour employed in the Mica Mining Industry, as reported by the Select Committee be taken into consideration."

The motion was adopted.

Mr. Deputy President : The question is :

" That Clause 2 stand part of the Bill." The motion was adopted. Clause 2 was added to the Bill. Clauses 3 and 4 were added to the Bill. Mr. Deputy President : Clause 5.

Pandit Mukut Bihari Lal Bhargava (Ajmer-Merwara : General) : Sir, I beg to move :

" That in sub-clause 3(a) of clause 5 of the Bill, after the word ' fund ' and before the word ' and ', the following be inserted, namely :—

' Provided that no officer shall be deemed to be competent to enter a private dwelling house between the hours of sunset and sunrise and in case of such dwelling house being occupied by women without proper notice of such entry to the inmates '."

Mr. Deputy President: The Honourable Member just now has given notice of this amendment. It has not been circulated to the Members.

The Honourable Dr. B. R. Ambedkar: Sir, I object to it.

Mr. Deputy President : I am afraid this amendment has come too late and it cannot be permitted at this stage.

Prof. N. G. Ranga (*Guntur- cum-Nellore*: non-Muhammadan Rural) : Have you any objection to that ?

The Honourable Dr. B. R. Ambedkar : I strongly object to it.

Mr. Deputy President: Does the Honourable Member want to speak on clause 5 ?

Pandit Mukut Bihari Lal Bhargava: No, Sir. Mr. Deputy President : The question is :

" That Clauses 5 and 6 stand part of the Bill." The motion was adopted.

Clauses 5 and 6 were added to the Bill. Clause I was added to the Bill. The Title and Preamble were added to the Bill.

The Honourable Dr. B. R. Ambedkar: Sir, I move:

" That the Bill, as amended, be passed."

Mr. Deputy President : Motion moved : " That the Bill, as amended, be passed."

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Miscellaneous

SCHOLARSHIPS FOR SCHEDULED CASTE STUDENTS

With a view to improving the educational and economic condition of the Scheduled Castes, the Government of India have decided to give scholarships for the year 1946-47 to students belonging to these classes in British India who wish to pursue their studies in scientific and technological subjects beyond the Matriculation stage. These scholarships are tenable in India only. No scholarships for studies abroad will be awarded by the Board this year.

The amounts awarded will cover the entire cost of education including the tuition fee and other maintenance charges. In the case of Shorthand and Typewriting, short period stipends of the value of Rs. 20 p.m. only will be awarded. The courses for which awards will be available are:

- (1) Intermediate with Science,
- (2) B. Sc. (Pass or Honours),
- (3) M. Sc.,
- (4) Engineering,
- (5) Technology,
- (6) Medical,
- (7) Agriculture,
- (8) Teacher's Training and
- (9) Shorthand and Typewriting.

Women students offering Arts subjects in the Intermediate and Graduate courses will be eligible for the award of scholarships provided they give an undertaking that they will pursue the Teacher's Training course at the end of their approved courses of study. If they do not fulfil this condition they will be required to refund the amount of their scholarships.

T. V. A. EXPERTS TO ADVISE ON DAMODAR VALLEY PROJECT

Mr. Ross M. Riegel and Mr. Fred C. Schlemmer, leading engineers of the Tennessee Valley Authority, have arrived in India on a mission to advise on the plans being made by the Central Technical Power Board for the Maithon, Alyar and Panchet Hill Projects. These are the first three of the dam sites in the Damodar Project for which outline designs and detailed estimates are being prepared at present. The plans and designs for the Maithon Project are in a relatively advanced stage. In regard to the other projects, a good deal of

topographical and other data is still in course of preparation.

Four Reports

Mr. Riegel and Mr. Schlemmer do not expect to be in India for more than eight weeks, their services having been made available to the Government of India by the Tennessee Valley Authority, with the approval of the State Department, Washington. It is hoped to associate two leading Indian civil engineers with the Mission, but the present circumstances in which exceptional efforts are being made to carry out irrigation projects in connection with the "Grow More Food Campaign " have made it difficult for the Indian engineers to join the Mission as yet.

The Mission is to make four reports. Two are to be made to the central Technical Power Board, and are to comprise a critical examination of the Board's proposals for the form of design to be adopted and the construction schedule at the dam sites. The other two reports will be made to the Government of India and will cover recommendations as to the methods of preparing detailed working designs and carrying out construction work.

WELFARE TRUST FUNDS FOR WORKERS

The creation of Welfare Trust Funds for industrial employees was discussed at the eighth session of the Standing Labour Committee, held on March 15 and 16 in New Delhi with the Hon'ble Dr. B. R. Ambedkar, Member for Labour, in the chair. A proposal that the Funds should be financed by the employers on the basis of a certain percentage of the profits and administered by a committee consisting of representatives of both workers and employers was examined. The question whether welfare schemes should be made compulsory by Statute for all classes of employers was also discussed.

Other items discussed by the Committee were the desirability of Central legislation for unregulated factories, amendments to the Trade Disputes Act, the extent of unemployment likely to occur in industries, the attitude of Employment Exchanges during strikes or lock-outs and the Mine Workers Charter proposed by the I.L.O.

Representatives of the Central and Provincial Governments, Indian States, and employers' and employees' organisations attended the meeting. Lala Kripa Narain, Mr. Shanti Lal Mangaldas Mr. Bhagwandas C. Mehta, the Hon'ble Mr. H. D. Townend and Rai Bahadur Syamnandan Sahay were the delegates on behalf of the employers and Messrs. N. M. Joshi, N. V. Phadke, V. S. Karnik, A. K. Mukerjee and R. R. Bhole represented the workers.

SOCIAL SECURITY OF LABOUR *Rege Committee Reports*

Data relating to all aspects of labour conditions embodied in 35 reports running to nearly two million words have been compiled by the Labour Investigation Committee appointed by the Government of India on February

12, 1944, with Mr. D. V. Rege I.C.S., as Chairman and Mr. S. R. Deshpande, Dr. Ahrnad Mukhtar and Prof. B. P. Adarkar as members. Twenty of these reports were placed on the table of the House in the Central Legislative Assembly on April 9, by the Hon'ble Dr. B. R. Ambedkar, Labour Member.

The data collected by the Committee relate to the wages and earnings, employment, housing and social conditions of labour in 38 selected industries, namely : *Mining*—Coal, Manganese, Gold, Mica, Iron Ore and Salt: *Plantations*—Tea, Coffee and Rubber: *Factories*—Cotton, Jute, Silk, Woolen, Mineral Oil, Dockyard, Engineering, Cement, Matches, Paper, Carpet weaving, Coirmatting, Tanneries and Leather Goods Manufacture, Potteries, Printing Presses, Glass Chemical and Pharmaceutical Works, Shellac, Bidi-making, Mica Splitting, Sugar, Cotton, Ginning and Baling and Rice Mills ; *Transport*—Tramways and Buses and Non-gazetted Railway Staff ; and *Other Types*—Port Labour, Municipal Labour, Central P.W.D., and Rickshaw Pullers. This is expected to help the future planning of social security for labour and legislation by the Government.

The Sampling Method

As it was felt that the peculiar problems of labour had more an industry-wise than a region-wise dispersion, the Committee adopted the sampling method and conducted an industry-wise survey throughout India. During their two years of work, the Chairman and the members individually toured the whole of the country visiting 65 Industrial centres as far apart as Srinagar and Trichinopoly, Quetta and Shillong. On-the-spot investigations were carried out in 528 centres including plantation estates and mines. No less than, 1,631 establishments relating to various industries were surveyed. Questionnaires containing hundreds of questions were issued to various industrial concerns, Provincial and State Governments, Officials and Employers' and Employees' Organisations. The quantity of factual material analysed on the Committee may be illustrated by the fact that with regard to the wage census alone 34,080 forms were received.

The Committee employed a field staff containing of 16 Supervisors and 45 Investigators who were sent out on *ad hoc* surveys. This staff not only collected information on the spot at the various centres but also drew upon some other possible source of information. They personally contacted employers, workers and officials during the course of their investigations.

Representative centres were selected region-wise for the survey so as to discover differences in the conditions of labour in the same industry in different parts of the country. The selection of a concern was generally based on its importance, size, etc., and whether it was subject to statutory regulations or not. Enquiries related to protection given by existing Labour legislation, wages and earnings of labour, working conditions, indebtedness, age and mortality statistics, welfare activities and social security measures.

The Committee were considerably assisted in their work by Provincial and

State Governments, local bodies, port authorities and Employers' and Employees' Organisations.

DEPARTMENT OF WORKS, MINES AND POWER

The division of the Labour Department with the establishment of a new Department of Works, Mines and Power, came into effect on April 8.

The Department of Works, Mines and Power will deal with such subjects as the central Public Works Department and execution of Central Works Projectors, Civil Engineering, Mines and Minerals, the Geological Survey of India, Major Irrigation Works including Central Waterways, Irrigation and Navigation Commission, Electricity and Stationery and Printing.

The Labour Department will continue to deal with all subjects connected with the I.L.O., Welfare of Labour, Labour Relations, and Security Measures, Legislation and Enforcement of Labour Laws, Safety Measures, Resettlement of Ex-Servicemen and Women, Technical and Vocational Training Schemes, Labour Laws and Statistics, Research and Investigation.

Both Departments will be in the charge of the Hon'ble Dr. B. R. Ambedkar, Labour Member. Coal production will however remain temporarily in the charge of the Industries and Supplies Member.

The Hon'ble Mr. H. C. Prior will be Secretary of the Department of Works, Mines and Power and Mr. S. Lall, Secretary of the Department of Labour.

*** THE DAMODAR PROJECT**

Quick investigation of the possibility of starting immediately the construction of the first dam (at Tilaiya) in the Rs. 55 crores Damodar River Project was recommended at a conference of the representatives of the Central Government and the Governments of Bengal and Bihar held in New Delhi, on April 23 and 24 under the Chairmanship of the Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India.

This multi-purpose scheme is intended to control the floods of the Damodar and its tributaries, provide perennial irrigation and power for the benefit of nearly 4,000,000 people living in the valley and also provide navigation facilities. The whole scheme comprises a series of eight dams and reservoirs which when constructed will impound about 4,700,000 acre-feet of water for irrigating some 800,000 acres of land and produce nearly 350,000 kws. of electricity.

After considering the reports of the central Technical Power Board and the advice of the Tennessee Valley Authority engineers, Messrs. Ross Reigel and Fred C. Schlemmer, and their associates, Rai Bahadur A. N. Khosia and Mr. M. Narasimhaiya, Chief Engineer, Mysore State, the conference was convinced-of the advisability of pushing forward as rapidly as possible the scheme as a whole. It has accepted the proposal that the dams across the Barakar, tributary of the Damodar, should be at Tilaiya (near Kodarma) and at

Maithon, just above its confluence with the main river.

The conference felt, however, that the start of construction of the larger Maithon dam must be postponed to October 1947, as it was not possible for both the Bihar and Bengal Governments to enter into definite commitments in sufficient time to enable contracts to be entered into with engineers and contractors, which must necessarily be done almost at once if a start were to be made by October 1946— the only other alternative. This postponement would, however, give time to consider in detail a proposal to raise the height of the dam at Maithon rather than construct a second reservoir in the mid-Barakar area.

In respect of the Tilaiya dam, it was felt that there were fewer difficulties in making a start. Its early construction would not only provide water for irrigation and facilitate resettlement problems but also power which would be useful in the construction of the Maithon dam. The conference, therefore, advised quick investigation of the possibility of starting work on the Tilaiya dam in advance of other projects.

The representatives of the Bengal and Bihar Governments stated that their Governments would not be able to carry out the scheme themselves and suggested the appointment of an Authority for administering the scheme. The Government of India said they proposed to appoint Mr. B. K. Gokhale, formerly Adviser to the Governor of Orissa, to look into administrative aspects and prepare within six months a scheme for the Damodar Valley Authority.

Compensation for Land Acquired

It was decided that full and fair compensation should be paid for the land acquired for the purpose of constructing reservoirs and that payment should, as far as possible, be in kind, by giving land for land. The officer-in-charge of administration will prepare a detailed scheme for the settlement of dispossessed persons on new land so as to ensure to them a source of livelihood at least as good as they enjoyed on their original lands.

The conference agreed that the cost of investigations and surveys should be shared between the Central and the Provincial Governments concerned and that the general supervision should be under the central Technical Power Board, and in irrigation and navigation matters the Central Waterways, Irrigation and Navigation Commission.

*** SCHEDULED CASTES AND CENTRAL SERVICES**

By a Resolution published in the *Gazette of India* of June 15, 1946, the Government of India have decided to increase the reservation in favour of Scheduled Castes of vacancies filled by direct recruitment in the Central Services from 8 V per cent. to 12 1/2 per cent. so as to bring it in accord with the population ratio.

Rules (1) and (2) in paragraph 4 of the Resolution of August II, 1943, are accordingly amended as follows:—

" (1) 12.5 per cent of all vacancies to be filled by the direct recruitment of Indians in the Central Services to which recruitment is made on an all-India basis will be reserved for Scheduled Castes." " (2) In the case of services to which recruitment is made by local areas or circles and not on an all-India basis (e.g., Subordinate posts in the Railways, Posts & Telegraphs Department, the Customs Services, the Income Tax Department, etc.) the over-all reservation of 12.5 per cent. of vacancies for Scheduled Castes candidates will be obtained by fixing a percentage for each local area or circle having regard to the population of the Scheduled Castes in the area or circle concerned and the rules for recruitment adopted by the Provincial Government of the area or circle concerned. "

*The communique issued from Viceroy's House on August 24, 1946, stated that His Majesty the King has accepted the resignation of the members of the Governor General's Executive Council. In the new Ministry **Dr. B. R. Ambedkar** was not included.*

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